



NOTICE OF COUNCIL MEETING

TO: Mayor Karen Redman
Councillors Cr Cody Davies
Cr Diane Fraser
Cr Kelvin Goldstone
Cr David Hughes
Cr Paul Koch
Cr Paul Little
Cr Brian Sambell
Cr Nathan Shanks
Cr Ian Tooley
Cr Jim Vallelonga

NOTICE is hereby given pursuant to the provisions of Section 83(1) of the Local Government Act 1999, that the next Ordinary Meeting of the **Council** for the **Town of Gawler** will be held in the Council Chambers, Gawler Civic Centre, Institute Building 89-91 Murray St, Gawler SA 5118, and available for viewing via video streaming at <https://www.youtube.com/user/TownofGawler>, on **Tuesday 28 July 2020**, commencing at 7:00pm.

A copy of the Agenda for the above meeting is supplied as prescribed by Section 83(3) of the said Act.

A handwritten signature in black ink, appearing to read "Henry Inat".

Henry Inat
Chief Executive Officer
23 July 2020

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1 STATEMENT OF ACKNOWLEDGEMENT

We would like to acknowledge this land that we meet on today is the traditional lands for the Kurna people and that we respect their spiritual relationship with their country. We also acknowledge the Kurna people as the custodians of the greater Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

2 ATTENDANCE RECORD

- 2.1 Roll Call
- 2.2 Apologies
- 2.3 Motions to Grant Leave of Absence
- 2.4 Leave of Absence
- 2.5 Non-attendance

3 PUBLIC OPEN FORUM

(Limited to a total time of up to 20 minutes)

4 DEPUTATIONS

Nil

5 DECLARATIONS OF INTEREST**6 ADJOURNED ITEMS**

Nil

7 PETITIONS

Nil

8 CONFIRMATION OF MINUTES

Ordinary Council Meeting - 23 June 2020

Special Council Meeting - 7 July 2020

Special Council Meeting - 13 July 2020

9 BUSINESS ARISING FROM MINUTES

Nil

10 COUNCIL MEMBER REPORTS

Nil














11 OFFICER REPORTS

11.1 BOUNDARY REFORM PROPOSAL UPDATE

Record Number: CC20/57;IC20/389

Author(s): Henry Inat, Chief Executive Officer

Previous Motions: Council, 28/05/2019, Resolution: 2019:05:COU207; Council, 10/09/2019, Resolution: 2019:09:COU353; Council, 26/11/2019, Resolution: 2019:11:COU421

- Attachments:**
1. **Stage 2 - Boundary Reform Communication and Consultation Plan - July 2020 Council report** 
 2. **Boundary Reform Overview Map - Stage 1 Proposal -September 2019.PDF** 
 3. **Letter to Boundaries Commission - seeking clarification on administrative matters and more.** 
 4. **Response from Local Govt Boundaries Commission re clarification for Town of Gawler** 
 5. **Correspondence between Councils Feb - June 2020** 
 6. **Copy of Letter to Mayor O'Brien from Mr Ivan Venning - Chair of RDA BGLAP** 
 7. **Boundary Change Discussion Paper - DRAFT CR20/50881** 
 8. **Light_Regional_Council_-
_Stage_1_Potential_Proposal_boundary_reform** 
 9. **Letter from Local Government Boundaries Commission to Light Regional Council- Notification of assessment of Light Regional Council's Stage 1 - July 2020 Boundary Reform proposal** 
 10. **Letter from Local Government Boundaries Commission to Affected Councils -Light Regional Council Stage 1 Boundary Reform Proposal** 
 11. **Email - Clarification sought on consultation matter & meeting request to Local Government Boundaries Commission from CEO Henry Inat** 
 12. **Request from ToG to all 3 Affected Councils for Asset Data** 
 13. **Responses - Asset Data request - Light Regional Council and Barossa Council** 

OFFICER'S RECOMMENDATION

That Council:-

1. Notes that advice received from the Boundary Commission's Office indicates that none of the Communities of Interest captured in the Council's proposed Boundary Reforms are to be considered administrative therefore Council is to proceed with the proposed boundary changes as a consolidated General Proposal.
2. Notes that Council has received clarification from the Boundaries Commission in regards to the level of consultation required in Stage 2 of the Boundary Change Proposal process.
3. Notes that as a result of Town of Gawler's request for clarification on the level of consultation required for a Stage 2 General Proposal submission, the Boundaries Commission has amended Council Boundary Change Proposal - Guideline No. 3 Submitting a General Proposal to the Commission. The Boundaries Commission recognised that an expectation for Councils to consult beyond their Local Government Area presented unique challenges therefore the impost on Councils to engage with Communities of Interest which are not within their current Local Government Area has been removed. Likewise the expectation to provide information

regarding how affected Councils addressed the proponent's Boundary Change Proposal has also been removed from Guideline 3.

4. Adopts the updated Consultation and Communications Plan which has been updated since previously provided to Council and supported in principle under resolution 2019:11:COU421.
5. Approves the commencement of the Stage 2 Public Consultation phase as proposed in the Consultation and Community Plan with a 6 week consultation period occurring throughout September and October 2020.
6. Approves the Boundary Reform Discussion Paper which will be used as a key communication piece during the Public Consultation phase to be undertaken as part of the development of the Stage 2 General Proposal.
7. Notes that Light Regional Council submitted a Stage 1 Proposal to the SA Boundaries Commission for consideration and that the Commission determined that the Light Regional Council submission did not align with the Section 26 Principles for Boundary Change and therefore has advised that "a general proposal as outlined in the potential proposal cannot be referred for consideration."
8. Notes that the South Australian Boundaries Commission has provided correspondence to Town of Gawler, City of Playford and Barossa Council, as affected Councils under the Light Regional Council's Stage 1 Proposal for Boundary Change, to advise of the Commission's response provided to Light Regional Council in regards to their failed submission.
9. Notes that the Town of Gawler boundary reform proposal is the only Council proposal in South Australia to be progressing to a Stage 2 submission.

SUMMARY

This report provides Council with the following:

1. An update regarding its Boundary Reform project including outcomes of correspondence with the Boundaries Commission (Commission) that clarifies the type of Stage 2 Proposal to be developed (namely a General Proposal) and the level of community consultation that the Commission requires Council to undertake in developing its Stage 2 Proposal.
2. An updated Community Consultation and Communications Plan (**Attachment 1**) and request for approval to undertake the community consultation in accordance with this Plan.
3. A draft Boundary Reform Discussion Paper that is intended to be used as a key communication piece during the community consultation for Council's consideration.
4. An update regarding the Stage 1 proposal submitted to the Commission by Light Regional Council that sought to dissolve the Town of Gawler.

BACKGROUND

Town of Gawler submitted a Stage 1 Proposal for Boundary Change to the Boundaries Commission (Commission) in December 2019. The following Council boundary adjustments (reflected in the maps provided as **Attachment 2**) formed the basis of Council's Stage 1 Proposal.

Areas to be included in the Town of Gawler

- a. Area 1- Concordia Growth Area
- b. Area 2 - Hewett
- c. Area 3 – Portion of Kalbeeba (including portion of Springwood)
- d. Area 4 – Portion of Gawler Belt
- e. Area 5 - Evanston Park
- f. Area 6 - Reid
- g. Area 7 – Hillier

Areas to be removed from the Town of Gawler;

- h. Area 8 – Portion of Bibaringa
- i. Area 9 – Portion of Uleybury

In February 2020 Council was advised by the Commission that it could proceed to develop and submit a Stage 2 Proposal for Boundary Change. An update report was provided to Council at its 25 February 2020 Ordinary Council Meeting where the following was resolved:

RESOLUTION 2020:02:COU051

Moved: Cr C Davies

Seconded: Cr D Hughes

That Council:-

1. *Notes that in accordance with Council Resolution 2019:11:COU421 the Stage 1 Boundary Change Proposal was submitted to the Boundaries Commission on 4 December 2019.*
2. *Notes the correspondence received from the Boundaries Commission as provided in Attachment 1 which supports Council's proposal to proceed with further investigations regarding possible boundary reform.*
3. *Notes the correspondence received from neighbouring Councils as provided in Attachments 2 and 3.*
4. *Notes the decision from The Barossa Council, made 18 February 2020, identifying that it has chosen not to proceed with a Stage 2 General Proposal at this time despite being advised by the Commission that it could proceed with this proposal.*
5. *Confirms its intention to strategically progress with its proposed Boundary Reforms in demonstration of its commitment to delivering services to its communities of interest.*
6. *Requests Council Staff to write to the Commission seeking clarification on the Commission's statement that Council may wish to consider the option of referring an Administrative proposal to the Commission where proposed boundary changes are minor administrative matters, this clarification to specifically address:*
 - a. *Whether the areas identified by Council as potentially Administrative in nature (being Reid, Uleybury and the smaller section of Kalbeeba) would indeed be Administrative in the opinion of the Commission;*
 - b. *The appropriate level of consultation considered acceptable for an Administrative Proposal in comparison to a General Proposal.*
 - c. *The expected timeframe for determinations on Administrative Proposals in comparison with General Proposals.*
7. *Authorises the Mayor and Chief Executive Officer to continue discussions with Light Regional Council, The Barossa Council and City of Playford regarding Council's intention to pursue boundary reform.*
8. *Notes that, due to the need to seek clarification from the Boundaries Commission, community consultation regarding the further development of Council's boundary reform proposal(s) is now expected to occur in the second half of 2020 and that this provides time from other key Council consultations (e.g. Annual Budget, Community Plan, Heritage DPA and Essex Park Masterplan) that are planned to occur during the last quarter of the 2019/20 financial year.*
9. *Requests Council Staff to provide an update report to Council incorporates the following:*
 - a. *Clarification received from the Commission regarding what is/is not administrative in nature.*
 - b. *An updated communications and consultation plan that further details the activities and associated costs required to develop Council's Stage 2 General Proposal, and any Administrative Proposals that may be undertaken.*
10. *Authorises the Mayor to respond to the correspondence received from Light Regional Council:*

- a. *Confirming that Council lodged its Stage 1 Proposal to the Boundaries Commission on 4 December 2019;*
- b. *Confirming that Council has received advice from the Boundaries Commission that it may progress to a Stage 2 General Proposal;*
- c. *Informing that Council is progressing with its Boundary Reform considerations;*
- d. *Advising that Town of Gawler rejects Light Regional Council's Alternative Proposal;*
- e. *Noting that the boundary change process will be a long term process; and*
- f. *Advising that Council is supportive of progressing a regional vision project in partnership with Light Regional Council, The Barossa Council, Adelaide Plains Council, Regional Development Australia Barossa Gawler Light Adelaide Plains and other regional partners and that since this regional vision project is not contingent on any boundary changes it can be progressed regardless of Boundary Reform considerations.*

In accordance with resolution 6 above, Council Staff wrote to the Commission asking for further clarification on key elements of the process to be undertaken as part of the Stage 2 submission process (**Attachment 3**). It took some time to receive a comprehensive response to the matters raised with the Commission as the questions raised by Council caused the Commission to review its processes, procedures and guidelines prior to responding. A response from the Commission was received on 6 July 2020 (**Attachment 4**).

This report responds to resolution 9 above by providing an update report to Council incorporating:

- a) Clarification received from the Commission regarding what is/is not administrative in nature (**Attachment 4**).
- b) Indicative project activities (including community consultation) and timeframes to progress to a Stage 2 General Proposal including an updated Community Consultation and Communications Plan (**Attachment 1**).

The report also provides Council with:

1. Correspondence related to Council's Boundary Reform project received from neighbouring Councils and Town of Gawler's response (**Attachment 5**).
2. Correspondence received from Regional Development Australia Barossa, Gawler, Light and Adelaide Plains (RDA) related to the matter (**Attachment 6**).
3. A draft Boundary Reform Discussion Paper to be used as a key communication piece for the Community Consultation for its consideration (**Attachment 7**).
4. An update on Regional Boundary Reform submissions including Light Regional Council's (LRC) Stage 1 Proposal (**Attachment 8**) which was considered by the Commission on 11 June 2020 and the subsequent correspondence from the Commission to LRC detailing the assessment of its proposal (**Attachment 9**) and correspondence to affected Councils (**Attachment 10**).

COMMENTS/DISCUSSION

Boundary Reform Process and Project timelines

As previously reported to Council, the Boundary Reform process is new and has not been tested, however the process includes:

- Stage 1 – Submission of a Stage 1 Initial Proposal
- Stage 2 – Submission of a Stage 2 General Proposal (including formal community consultation) (To be clear this is where Council is currently at. Continuing to formulate a Stage 2 proposal to be released for public consultation and then submitted to the Commission if resolved by Council at a later date)
- Stage 3 – Investigation of General Proposal

Stage 3 will be unique to each council proposal and will be undertaken by the Commission if it chooses to accept and undertake an assessment of a Stage 2 General Proposal and determine to proceed to the investigation stage and the scope for same. Council has previously received correspondence from the Commission that confirms Council Administration's understanding of the process.

The following high level project schedule has been identified for Stages 1 and 2 of this project based on the assumption that Council will proceed pursuing boundary adjustments. Activities and timeframes are indicative only. These timeframes have been adjusted since last presented to Council to incorporate information provided by the Commission and to allow for the impacts of COVID-19 restrictions.

Please note, a number of Council decision/hold points have been built into the process going forward (as is illustrated below in red) and Consultation actions are in green.

Activity	Indicative timeframe
Update report to Council & Council decision to proceed to Stage 2	February 2020 (completed)
Update report to Council & Council decision to proceed with community consultation	July 2020
Stage 2 – Development and submission of a General Proposal	
Stakeholder consultation: (Aug - Oct) <input type="checkbox"/> Part 1 = Initial consultation seeking community comment and input on the Boundary Change Proposal and if residents support an independent body to review the Town of Gawler Local Government Area Boundary. This stage will inform Part 2 of Consultation. <input type="checkbox"/> Part 2 = Community and Stakeholder open forum (with Independent Facilitator) & consultation via website – Your Voice and communication schedule below etc (closing early October 2020).	July – Oct 2020
Special Council Meeting to consider feedback from stakeholder consultation	Nov 2020
Council consideration of Stage 2 Proposal	Dec 2020
Submission of Stage 2 Proposal to Boundaries Commission	Dec 2020 / Jan 2021
Advice received from Boundaries Commission, including high level quote for Stage 3 investigation (if applicable)	April 2021
Update report to Council and decision to proceed to Stage 3 (if applicable)	May 2021
Stage 3 – Investigation of General Proposal	
Activities and timeframes yet to be determined as they will be informed by the Commission's determination relative to Council's submitted Stage 2 Proposal. If Council chooses to proceed with Stage 3 then this Investigation will be undertaken independently and include stakeholder consultation and detailed financial analysis.	May 2021 onwards

It should be noted that for planning purposes and in consultation with the Commission, it has been assumed that any review/decision made by the Commission will take a minimum of 3 months, however due to the Town of Gawler Proposal being quite complex the Commission may choose to "break up" the Proposal to investigate in stages so the timeline may change significantly if this occurs.

Boundary Reform Proposal Progress and Next Steps

In accordance with Council Resolution 2019:11:COU421, Town of Gawler's Stage 1 Proposal for Boundary Change was submitted to the Commission on 4 December 2019.

The Commission met on 20 January 2020 to review this submission and, as reported to Council at its 25 February 2020 Ordinary Meeting, provided Council with approval to proceed with the development and submission of a Stage 2 Proposal.

The Commission noted in their response the:

1. *Significant work that Council has undertaken to develop its potential proposal, including the details of the Community of Interest and consideration of the section 26 principles and how these relate to the identified areas. (refer Council report 26 November 2019 for copy of the submission presented or).*
2. *Important role that the Council plays in providing services to a developing and expanding region and noted the potential significance of this proposal for the region.*

The Commission has provided Council with feedback regarding the initial proposal for consideration in the development of a General Proposal, providing the following advice:

1. *Due to the significant scope of this potential proposal, I bring your attention to Section 30 of the Act and Guideline 2 which outline a simplified pathway for consideration of boundary change proposals that are minor administrative matters. The Council may wish to consider the option of referring an Administrative proposal to the Commission where proposed boundary changes are minor administrative matters;*
2. *As set out in stage 2 of Guideline 3, if the Council wishes to refer a general proposal to the Commission, the Commission recommends that the Council strongly identify how the proposal links to the Section 26 principles. More specifically, the Council may wish to identify the cultural, heritage, shopping, community services, sporting or any other component that the Council identifies that in the Council's view form the social fabric of the area, for each discrete boundary change that the Council may propose;*
3. *The proposal should also include evidence of the consultation process undertaken by the Council with the community and key stakeholders in relation to the proposal. Although the Commission will undertake its own consultation if it decides to investigate a proposal, it is expected that the Council would undertake consultation with identified stakeholders and the community more widely.*
4. *As set out in Guideline 3, councils are required to—*
 - a. *Provide a balanced representation of the advantages and disadvantages of the proposal*
 - b. *Identify stakeholder groups, providing details of the interests and identity of each.*
 - c. *Discuss impacts of the proposal on each group, and record any significant opposition known to the applicant council or councils and the basis of this.*
5. *The Commission is aware that the Council has received correspondence from the Light Regional Council and businesses in opposition to the proposal. Details of this correspondence and any other significant opposition known to the Council should be included in the Council's proposal along with information about the support for the proposal.*

With regard to the Commission's correspondence, and particularly point 1 above – Administrative Matters, Council Staff provided an updated table presenting the 9 Areas (Communities of Interest) and how they might be delineated moving forward.

Point 6 of Resolution 2020:02:COU051 requested that Council Staff write to the Commission seeking clarification as to whether the specific areas identified by Council (shown in Table 1 below) as possibly administrative in nature, would indeed be Administrative in the opinion of the Commission as indicated by their correspondence.

Table 1: Areas identified with boundary changes that may be considered administrative in nature by Staff

Area 3	Kalbeeba - smaller section only
Area 6	Reid
Area 9	Uleybury

A letter was forwarded to the Commission seeking clarification on this matter on the 5 March 2020. In April 2020 Council had not received a response to this letter. Concerned by this delay, Council Staff contacted the Office of Local Government to set-up a meeting with Ms Alex Hart, Manager of the Office of Local Government. The meeting was convened on 5 May 2020 at which time Council Staff were advised that the letter sent of 5 March 2020 had not been received due to an issue with the internal mail system at the Commission. Consequently, a copy of the letter was forwarded to the Commission via email on 6 May 2020 (**Attachment 3**).

During the meeting with Ms Hart on 5 May 2020, Council Staff sought clarification regarding, in her opinion:

1. Whether the boundary changes Council sought in relation to the 3 Areas identified in Table 1 would be considered administrative matters
2. What would be deemed "An appropriate level of Consultation" required to develop Council's Stage 2 Proposal.

Through these discussions Council Staff became aware that to meet the requirements of an Administrative Proposal Council would need to address boundary reform in these 3 areas differently, using property boundaries only, not suburb/locality boundaries as the basis for change. This has been subsequently confirmed by correspondence received from the Commission (**Attachment 4**).

Alignment of Council's boundary to accommodate property boundary anomalies only was not Council's chosen approach in developing its initial Stage 1 Proposal. Council's Stage 1 Proposal was committed to uniting "Communities of Interest" therefore incorporating suburb/locality boundaries as the basis for change. Consequently it has been determined that none of the areas identified would be considered as administrative in nature, as shown in Table 2 below:

Table 2: Geographical Areas of Interest

Basis for Potential Boundary Change			
Geographical Area	Community of Interest	Urban Growth Area (General Proposal)	Administrative
Concordia	X	X	
Hewett	X	X	
Kalbeeba	X	X	
Gawler Belt	X	X	
Evanston Park	X	X	
Reid	X	x	
Hillier	X	X	
Bibaringa	X	X	
Uleybury	X	X	

It is recommended that Council continue to move forward in a strategic manner with a view to progressing to Stage 2 of the process being the Development and Submission of a General Proposal for all areas.

Discussions with the Office of Local Government have clarified that Council should submit one General Proposal, but that Proposal should be split into sections which would allow the Commission to break up the submission easily for the investigative process into specific areas of interest if it so desires. For example: Northern and Southern Boundary Change.

Regarding the development of the Stage 2 Proposal, under the original guidelines for Boundary Reform, Council was required to undertake “an appropriate level of consultation” entirely funded by Council. Council Staff noted that the Commission was required to undertake extensive community consultation as part of Stage 3 of the Boundary Reform Process, also entirely funded by Council. Therefore, Council Staff asked the Office of Local Government if it could clarify the extent of community consultation required to develop the Stage 2 Proposal to ensure that Council does not have to pay for the same consultation twice.

Noting that the Commission requires independently conducted consultation for the Stage 3 phase of the process, Council Staff asked whether the Commission would undertake the consultation required to develop Council’s Stage 2 Proposal on our behalf thereby creating the level of independence required to use the same consultation for Council’s Stage 2 General Proposal and for the Stage 3 Investigation.

The Office of Local Government requested that Council write to the Commission outlining its thoughts in this regard so that the Commission could consider a process forward. An email was sent to the Commission on 11 May 2020 (**Attachment 11**) accordingly.

As previously mentioned the process of Boundary Reform is new. Currently Town of Gawler, is the only Council in South Australia to be progressing to a Stage 2 submission, so there are no precedents to follow and the process has not been fully tested.

Due to the questions being posed by Town of Gawler, the Commission recognised that it needs to provide further clarity regarding the Boundary Reform Process than that provided for within the original guidelines, particularly with regards to what would be considered acceptable consultation. Therefore the Commission held a workshop on 11 June 2020 to review their processes and determine what “An appropriate level of Consultation” looks like and how consultations could be undertaken.

On 6 July 2020 the Commission provided Council with a response to both the letter dated 5 March 2020 and the email sent on 11 May 2020 from Council’s Chief Executive Officer (CEO), Henry Inat (**Attachment 4**).

The response from the Commission confirmed that:

- a) As per Table 2 (above), unless Council wished to change its approach to Areas 8 & 9 (Bibaringa & Uleybury respectively of the proposal), then none of the Stage 1 Proposal Geographical areas/Communities of Interest would be considered administrative in nature.
- b) The Commission is not in a position to provide timeframes for the determination of either Administrative or General Proposals
- c) The Commission has given significant consideration to the Council’s request of 11 May 2020 seeking clarification on community consultation requirements for a General Proposal. As a result, the Commission has formed the view that Guideline 3 does not provide sufficient clarity for councils when considering undertaking community consultation for a General Proposal. For this reason, the Commission amended Guideline 3 (**Attachment 4**) to provide clarity on community consultation requirements.
- d) The amendments to Guidelines 3 now place greater emphasis on a ‘calendar of events’ rather than the need to provide evidence of ‘appropriate consultation’ with the community. This reflects the Commission’s view that it is not appropriate for initiating councils to undertake extensive consultation on the boundary changes that it is proposing, given the difficulties that an initiating council may have in consulting communities not within their area, and, more importantly, the limitations in consulting on a proposal that has not yet been investigated, and would therefore not be in a position to include all information about the impact of the proposed boundary changes on all who would be affected by the change.

- e) It is reasonable that an initiating council would undertake community consultation that is necessary to determine whether it should proceed with a proposal to the Commission. Guideline 3 therefore clarifies that a council should provide evidence of key council decisions, announcements, notices, details of any public meeting(s), press articles and any correspondence received in support or objection to the Council's proposal.
- f) The Commission has determined that as an independent body, the Commission is not in a position to undertake consultation on behalf of a Council. As noted above, if the Commission decides to investigate a proposal it will undertake consultation in line with Guideline 9, which the response provided represents significant changes to the expectations being placed on an Initiating Council through this process, as Council no longer needs to reach beyond their own Local Government Area (LGA) to consult with a proposed affected area, due to the significant challenges this represents. Members of the affected communities outside of the Initiating Council's LGA can still be allowed and encouraged to participate in any consultations undertaken during Stage 2 of the process but Council does not have to struggle to ensure it extensively consults outside of its own borders as this broader consultation will be undertaken by the Commission if the proposal proceeds to the Stage 3 Investigation. These changes to the consultation requirements will significantly reduce the cost of Council undertaking Stage 2 of this project, Staff estimate this constitutes a saving of approximately \$20,000 for Stage 2.

In response to the above, Council Staff have updated the Community Consultation and Communication Plan (**Attachment 1**) intended to be used to inform the development of Council's Stage 2 Proposal. An overview of the updated Plan is as follows:

- a) Consultation advertised in local newspaper, on Council digital platforms (social media, App and Website)
- b) Undertake a community forum(s) to discuss and consult on the matter, allowing community input into the proposal or feedback (number of forums yet to be determined ie may need more forums if numbers are limited due to social distancing requirements and community interest in the forums is high).
- c) Provide information via facebook (and or other social media platforms, eg You Tube) and website (Your Voice Gawler portal) for community to provide comment, ask questions or answer surveys
- d) Display points in all Council operated buildings being: Gawler Administration Centre, Gawler Civic Centre, Gawler sport and Community Centre, Evanston Gardens Library
- e) Letter box drop to ratepayers

A Draft Boundary Reform Discussion Paper (**Attachment 7**) has been created to act as a key communication piece for the Community Consultation aimed at raising awareness of Council's boundary reform aspirations but also to inform the Community about:

- a) Why Council is seeking change
- b) How a proposal for change can be made to the Commission – an independent body who would investigate the proposed changes and determine if any change should occur
- c) How Community Members can find out more and provide their comment on the matter.

To allow the project to progress in a timely manner this report seeks approval from Council to allow the draft Boundary Reform Discussion Paper to be finalised by the Mayor and CEO.

In an effort to further understand the financial implications of Council's Boundary Reform Proposal and inform the Stage 2 General Proposal, Council's CEO has written to neighbouring Councils affected by the proposal to seek further asset and infrastructure information, as would likely need to be provided to the Boundaries Commission when investigating the financial implications of a proposal. (**Attachment 12**).

Responses to these letters have been received from Light Regional Council, declining the request to share data and advising that data will only be provided if the proposal proceeds to the Stage 3 Investigation, and The Barossa Council, advising that data will be provided when resourcing allows (**Attachment 13**). At the time of writing this report, the City of Playford had not responded.

The responses received indicate that Council will only be able to undertake further financial analysis of its Boundary Reform Proposal if the Proposal progresses to the Stage 3 Investigation.

Regional Boundary Reform Proposal

Light Regional Council (LRC) has consistently corresponded with Council stating that it believes boundary reform is a distraction and has repeatedly requested that Town of Gawler withdraw or defer its Boundary Reform Considerations and instead pursue a regional project seeking to secure funding through a Regional Deal. In December 2020 LRC intimated that if Town of Gawler continued to progress its Boundary Reform considerations it would be “forced” to submit an alternative proposal to the Boundaries Commission.

Town of Gawler has consistently responded that it does not consider Boundary Reform a distraction and that Council can pursue both projects at once.

Originally LRC suggested their “Alternative Proposal” would be for LRC to amalgamate with Barossa under a new name, retain Hewett in its LGA and extend its southern boundary to include Willaston in its Local Government Area (LGA). Town of Gawler would ‘receive’ Concordia under that proposal.

However in a later letter from LRC Mayor Bill O’Brien dated 20 March 2020 (**Attachment 5**), being dissatisfied by Town of Gawler continuing to pursue its boundary reform considerations, LRC detailed its intent, if Town of Gawler did not withdraw or defer its Boundary Reform Proposal, to submit its own Stage 1 Proposal with a new idea provided by a random comment from a Hewett community member, taken from a Bunyip Newspaper Facebook poll as the basis to the new boundary proposal. This forms the basis of Light Regional Councils ‘structural reform’ proposition.

As Town of Gawler has not withdrawn from the Boundary Reform process, LRC’s Chief Executive Officer, Mr Brian Carr, presented an agenda item (link to agenda item via LRC website is provided for your information: <https://lgasa-web.squiz.cloud/?a=652051> from page 68 and including attachments 13.1A- 13.1G) and presentation, as an update to LRC Members at their meeting held on 28 April 2020. As a result of that agenda item and presentation LRC resolved the following:

13.1.1 Boundary Proposals - Update

Moved Cr Grain

Seconded Cr Kennelly

1. That the presentation from the Chief Executive Officer titled *Boundary Proposals – “Update”* be noted and supported.
2. That Light Regional Council acknowledge and appreciate the decision by The Barossa Council (18.2.20) not to undertake a formal (stage 2) general submission on boundary reform in favour of other Regional priorities at this time.
3. That Light Regional Council express its disappointment of the Town of Gawler’s decision (25.2.20) to progress its boundary reform proposals to Stage 2 despite several requests for them to withdraw or defer in the interest of progressing the Regional Vision.
4. That Light Regional Council considers the decision by the Town of Gawler to proceed to be insular and self-serving and not in the Region’s economic interests particularly given the recent adverse economic impacts to Australia and our Region due to China-US Trade Conflicts, bushfires, drought and now the emerging effects of COVID-19; demanding a positive Regional response as being articulated in the draft Regional Vision by the Councils of Adelaide Plains, Barossa and the Light Regional Council
5. Given that the Town of Gawler has decided to proceed with its flawed boundary proposals, the Chief Executive Officer of the Light Regional Council is instructed to lodge a (Stage 1) submission to the Boundaries Commission proposing “Regional Structural Reform” in support of the Regional Vision.

6. *The 'Regional Structural Reform' proposal from Light Regional Council to divide the Local Government area under the jurisdiction of the Gawler Council between The Barossa Council, City of Playford and Light Regional Council applying the natural water courses of North and South Para and Gawler Rivers as logical boundaries (see Map – Appendix 13.1G of the Agenda Report)*
7. *That Light Regional Council considers the 'Regional Structural Reform' package by redeploying the assets and resources currently under the jurisdiction of the Town of Gawler will generate Regional opportunities, enhance efficient and effective Regional decision-making and create a more productive use of the Town of Gawler's assets and resources in the interest of the entire Region.*
8. *That Light Regional Council emphasise that this proposal is to support the residents and ratepayers of the current Town of Gawler, as the Town of Gawler and its heritage will continue and remain a significant feature of the Region's fabric; whilst its local government jurisdiction will be spread over 3 Councils; Playford, Barossa and Light Regional Council, providing efficiencies and productivity in the communities and Region's interest.*

Correspondence from Mayor Bill O'Brien dated 29 April 2020 advising of the LRC's resolution to proceed to submitting a Stage 1 Proposal, Council's response from Mayor Karen Redman dated 7 May 2020 and a subsequent letter from Mayor Bill O'Brien dated 18 May 2020 (**Attachment 5**) are provided for Council's information.

LRC submitted a Stage 1 Proposal titled Structural Reform Potential Proposal (**Attachment 8**) to the Commission on 18 May 2020. Under LRC's Structural Reform proposal the new boundaries proposed would be the river corridors which meander through Gawler: meaning Playford would extend up to the South Para River, Barossa would extend up to the South and North Para Rivers and LRC would extend down to the North Para River – thereby dissolving Town of Gawler altogether.

The Commission assessed the LRC Structural Reform Proposal on 11 June 2020 and have since sent correspondence to LRC (**Attachment 9**) advising LRC that the Commission determined that:

- a) *The Council's potential proposal does not easily align with the section 26 principles*
- b) *The potential proposal does not address the broader concept of a 'community of interest' nor does it specifically identify common interests between the affected communities.*
- c) *It does not believe that additional work or information from the Council at this stage would assist in the progression of this proposal, and therefore advises that a general proposal as outlined in the potential proposal cannot be referred for consideration.*
- d) *It noted that the key objective of the potential proposal to enhance regional productivity, regional governance and regional economics. However, the Commission is of the view that the potential proposal does not sufficiently demonstrate that link between these objectives and the boundary changes that the potential proposal outlines.*
- e) *The Council would need to identify and demonstrate the cultural, heritage, shopping, community services, sporting or any other component that the Council identifies that in the Council's view, forms the social fabric of the affected areas.*
- f) *The Commission also expects that a potential proposal that is based on such significant changes to the boundaries of numerous councils should explicitly reference views from these councils.*
- g) *The initiating council is responsible for the costs associated with the investigation of any general proposal that the Commission determines to investigate that is initiated by councils. Your Council may wish to note at this point that the costs of the investigation for a proposal of the nature that you have put forward are likely to be very significant.*

The Commission has also written to affected Councils (**Attachment 10**) therefore, Town of Gawler, City of Playford and The Barossa Council received a summary of the assessment provided to LRC.

The LRC submission and the Commission's response letters to LRC and affected Councils are all publicly available on the Department of Planning, Transport and Infrastructure website: https://www.dpti.sa.gov.au/local_govt/boundary_changes

Regional Overview

As previously reported, and as noted in the correspondence from Mayor O'Brien, LRC have presented a high level regional vision to its Council Members and neighbouring Councils regarding developing a Strategic Regional Project by bundling the high value projects from each Council area (basically taken from the Regional Roadmap) and seeking funding through a Regional Deal.

Town of Gawler was not invited to the table to discuss the Regional Vision and submit its own priorities or feed into this Vision in any form despite requesting a formal briefing and opportunity to do so. LRC CEO, Mr Brian Carr, has presented this Regional Vision to State Government Ministers without Town of Gawler having any direct input or providing any details. This is concerning as, although Town of Gawler is willing to work with the region for economic and social outcomes, for this to occur such a Vision would need to be embraced by all parties, with all parties having strong input and leadership for their part of the region. This has not been the case and was raised with LRC in Mayor Karen Redman's letter dated 7 May 2020.

This issue of LRC promoting a regional vision which has not had appropriate input from the region has also raised concerns for the Board of Regional Development Australia Barossa Gawler Light Adelaide Plains (RDA) prompting a letter from Chair, Mr Ivan Venning, to Mayor Bill O'Brien dated 1 June 2020 (**Attachment 6**). Mr Venning's letter effectively admonishes LRC for the manner in which it is framing and referring to Light's Regional Vision and for LRC stating incorrectly that this has been discussed and worked on extensively at the RDA Board table during last year. Mr Venning notes in the correspondence that:

- a) At a Board meeting in the second half of 2019, Brian Carr as CEO of Light Regional Council and a Board member of RDA, tabled Light's "one page vision" for the region, comprising the regional map with a number of important potential investments noted against a background of existing growth industries.*
- b) A degree of confusion seems to have been created by a tendency to refer to this one page vision statement as a plan.*
- c) Detail on this vision statement was only made available to the RDA Board after the recent May 13th 2020 Board meeting in the form of a discussion paper with valuable insights and proposals that will be incorporated into the work RDA is undertaking on a Regional Roadmap and Recovery and Transformation Plan post the current economic crisis.*
- d) The dissent is that the RDA Board does not agree with the description of the one page vision map as a regional plan and one that others have ignored or failed to engage in.*

A copy of this correspondence was provided to:

- a) CEO Town of Gawler
- b) Mayor and CEO The Barossa Council
- c) Mayor and CEO Adelaide Plains Council
- d) Mayor and CEO Playford Council
- e) Mayor and CEO Mid Murray Council
- f) Boundaries Commissioner
- g) Minister Knoll

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer
Manager Finance and Corporate Services
Manager Business Enterprises and Communications
Manager Infrastructure and Engineering Services

Manager, Development, Environment and Regulatory Services
 Manager Library and Community Services
 Strategic Infrastructure Manager
 Team Leader Development Services
 Strategic Planner
 Rates Officer
 Communications and Media Adviser
 Business Improvement and Internal Audit Coordinator
 Special Projects Officer

CONSULTATION (EXTERNAL TO COUNCIL)

Office of Local Government

Council Staff have consulted (via correspondence) with the following organisations in the preparation of this report:

- a. Boundaries Commission;
- b. Light Regional Council;
- c. The Barossa Council;
- d. City of Playford

At the 26 November 2019 Ordinary Council Meeting, Council approved in principle the Communication and Consultation Plan. This Plan has been updated as a result of the advice received from the Commission and provided for Council's information with this report.

POLICY IMPLICATIONS

Public Consultation Policy

RISK EVALUATION

Risk	
Identify	Mitigation
If Council don't proceed to stage 2 - Reputational	<p>Progressing to Stage 2 aligns with previous decisions</p> <p>Progressing allows Council to undertake broad community consultation and seek input from the broader community prior to deciding to submit a General Proposal.</p>
Progressing to Stage 2 General Proposal only – tying up smaller considerations in a longer/more costly process due to the complexity of the proposal	Undertake a General Proposal which provides a Northern Boundary Change and a Southern Boundary Change proposal to provide an opportunity for the Commission to easily break the proposal up if it requires.
Opportunity	
Identify	Maximising the Opportunity
Defining Gawler according to Community of Interest	<p>Ensuring Community of Interest is provided with an opportunity to be heard and provided with accurate information</p> <p>Providing the communities of interest with an opportunity to define, support and set their "hometowns" strategic direction and future investments.</p>

STATUTORY REQUIREMENTS

Local Government Act 1999

Local Government (Boundary Adjustment) Amendment Act 2017

FINANCIAL/BUDGET IMPLICATIONS

Future costs associated with this boundary reform project will include external consultations, staff resource allocations, and costs of the Commission's investigation should Council proceed to the Inquiry stage. Some of these costs are unable to be quantified at this time. However, it is anticipated that the majority of such costs (outside of staffing costs incurred to date) will be incurred in 2020/21 and 2021/22 financial years.

A budget bid has been prepared for consideration by Council for \$20,000 for FY 2020/21 for consideration during the annual budget deliberations and \$250,000 for FY 2021/22. As outlined above, the costs of an inquiry could be significant and Council Staff will continue to provide periodical project updates, should Council elect to proceed with this initiative.

It should be noted that Council will receive regular updates regarding the progression of its Boundary Reform project including costs associated with this progression.

COMMUNITY PLAN

Objective 1.1: Maintain a clearly defined township, one which is distinct from neighbouring areas

Objective 1.2: Build a local community that is proud of Gawler

Objective 2.1: Physical and social infrastructure to service our growing population and economy

Objective 2.2: Growth to be sustainable and respectful of cultural and built heritage

Objective 2.4: Manage growth through the real connection of people and places

Objective 3.4: Gawler to be an inclusive and welcoming community

Objective 5.2: Be recognised as a 'best practice' Local Government organisation

Objective 5.3: Deliver ongoing effective and efficient services, including support for regional collaboration




11.2 STATUTES AMENDMENT (LOCAL GOVERNMENT REVIEW) BILL 2020

Record Number: CC20/57;LC20/539

Author(s): Paul Horwood, Manager Finance & Corporate Services

Previous Motions: Audit Committee, 20/07/2020, Motion No: 2020:07:AC001; Council, 24/09/2019: Resolution: 2019:09:COU357; Council, 24/10/2019: Resolution: 2019:10:COU385

Attachments:

1. **Statutes Amendment (Local Government Review) Bill 2020 CR20/43480** 
2. **Explanatory Paper - Statues Amendment (Local Government Review) Bill 2020** 
3. **Working document LGA and Council Administration comments** 

OFFICER'S RECOMMENDATION

That Council:

1. **Notes the Statutes Amendment (Local Government Review) Bill 2020 report, including comments from the Local Government Association of SA and Council's Administration, in response to the substantive changes proposed.**
2. **Notes that feedback from the Council Members relative to the proposed legislative changes be used to inform the final submission to the LGA and the Mayor and CEO be authorised to finalise the submission accordingly.**

SUMMARY

Tabling the State Government's proposed Local Government reform legislation, the *Statues Amendment (Local Government Review) Bill 2020* ('the Bill') for comment and feedback, to inform a Town of Gawler submission to the Local Government Association of SA (LGA). The LGA is currently seeking feedback from Councils' before finalising its position on the Bill by 9 August 2020.

A copy of the Bill is provided as **Attachment 1** to this report.

BACKGROUND

One of the key election platforms of the State Liberal Government was the introduction of Rates capping of Local Government rates.

Their first attempt at introducing the Rates capping legislation, represented by the *Local Government (Rate Oversight) Amendment Bill 2018*, was thwarted by the State Labor party and independent members.

The State Labor party then, however, drafted their own legislation in response to the State Government's proposed Rates capping legislation. The *Local Government (Ratepayer Protection and Related Measures) Amendment Bill* of 2018, as proposed by the State Labor party, did not progress to legislation due to not being supported by the State Government.

The Bill recently introduced in the House of Assembly by the Minister for Transport, Infrastructure and Local Government represents the State Government's second attempt at introducing Rates capping legislation, in conjunction with a number of other proposed amendments to the *Local Government Act 1999* under the following four key reform areas:

- a. Stronger Council Member capacity and better conduct
- b. Cost savings and financial accountability
- c. Efficient local government representation

d. Simpler regulation

The State Government has published an Explanatory Paper (refer **Attachment 2**) which provides a general overview of the major reforms that are contained in the Bill's four reform areas.

The LGA has summarised the substantive changes proposed in the Bill and provided preliminary comments on the proposed reforms. The LGA's comments, together with comments from Council's Administration are provided in **Attachment 3**.

This matter was considered by the Audit Committee at its 20 July 2020 meeting, at which the following resolution was passed:

COMMITTEE RESOLUTION 2020:07:AC001

Moved: Cr P Little

Seconded: Mayor K Redman

That:

- 1. The Audit Committee notes the Statutes Amendment (Local Government Review) Bill 2020 report, including comments from the Local Government Association of SA and Council's Administration, in response to the substantive changes proposed*
- 2. Feedback from the Audit Committee relative to the proposed legislative changes be used to inform a further report being presented to the Council meeting on 28 July 2020*

The general feedback from the Audit Committee was consistent with the comments made by the Administration within **Attachment 3**. The Independent Members of the Committee particularly agreed with the opposition to the proposed changes to Section 123 (*Annual Business Plans and Budgets*), which would mean that the Council would effectively have to have finalised its draft budget for the next financial year before 31 December. It was recognised that this was a totally unrealistic expectation, noting that in this scenario the draft budget process for the next financial year would need to commence very early in the financial year, and before the General Purpose Financial Statements for the preceding year have been audited and adopted by Council.

Mr. Peter Fairlie-Jones (Independent Member of the Audit Committee) noted at the meeting that the proposed legislation was ill-informed and was diminishing the role of Local Government.

Mr. Peter Brass (Independent Member and Chair of the Audit Committee) noted that the cost of external audits being undertaken by the Auditor-General would far exceed the costs incurred by current external audit firms used across the Local Government sector.

COMMENTS/DISCUSSION

The major reforms that are contained in the Bill are the result of the State Government's Local Government Reform Program that included the call for ideas for reform and consultation on the *Reforming Local Government in South Australia Discussion Paper*, previously presented to Council on 22 October 2019, whereby the following was resolved:

RESOLUTION 2019:10:COU385

Moved: Cr P Koch

Seconded: Cr P Little

That Council:-

- 1. Notes the Local Government Reform Discussion Paper report as amended.*
- 2. Authorises the Mayor to forward a submission to the Office of Local Government based on comments attached in Attachment 2.*

A marked-up copy of the Local Government Act 1999 showing the effect of the amendments to it in the Bill can be found at: https://www.dpti.sa.gov.au/local_govt/local_government_reform

Whilst there are a number of proposed amendments to the Act that are welcomed, and will lead to some nominal tangible efficiencies (such as the removal to retain 'hard-copy' versions of various registers, simplification of Community Land revocation process for minor applications, simplification

of rules pertaining to informal gatherings, etc.), in a number of instances definitive analysis and comments cannot realistically be made until Councils' actually see the specific content of associated Regulations and documents (e.g. 'Member Behaviour Standards', 'Community Engagement Charter', etc.).

Nonetheless, the major sector-wide opposition continues to relate to the introduction of 'Rate capping', under the guise of proposed amendments to Section 123 (Annual Business Plans and Budgets) of the Act.

The proposed changes to Section 123 mean that a Council will effectively need to *finalise* its draft annual business plan for the ensuing financial year *before 31 December*, on the basis that a Council will need to provide a range of various proposed financial information for the next financial year to the 'designated authority' (likely to be the Essential Services Commission of SA (ESCOSA)). In this regard, the financial information that would be required by the designated authority by 31 December, relative to the next financial year, is outlined in proposed Section 123(3a) as follows:

- a) *The proposed change in total revenue from general rates for the financial year compared to the previous financial and the reasons for the proposed change;*
- b) *The Council's view of the impact of the proposed change on ratepayers;*
- c) *Information as to whether consideration has been given to alternatives to the proposed change in total revenue from General rates, such as alternative expenditure measures or funding proposals;*
- d) *Information as to how the proposal is consistent with the Council's long-term financial plan and infrastructure and asset management plan;*
- e) *Any other matter-*
 - i. *Prescribed by the regulations; or*
 - ii. *Requested by the designated authority.*

The Administration is of the view that the above information to be provided could only realistically and effectively be provided upon Council having formally considered both its operating and capital budget proposals for the next financial year before the prescribed date of 31 December. Consequently, to achieve this, it is envisaged that a Council would need to commence its next financial year budget discussions and deliberations very early in the financial year, most likely before the annual financial statements of the previous financial year have been prepared and audited.

Under the proposed changes, the 'designated authority' must provide advice to a Council on the appropriateness of the proposed change in total revenue from general rates by no later than 31 March. Interestingly, the advice provided by the designated authority must have regard, inter alia, to '*any matter the Minister directs the designated authority to have regard to*'.

If the designated authority ultimately considers that a Council has failed to respond appropriately to advice from the designated authority, the designated authority may provide a report to the Minister on the matter.

Interestingly, the proposed changes also dictate that the designated authority may recover from a Council the costs reasonably incurred by the designated authority in performing its functions under this Section of the Act, which could naturally add further financial imposts on the Council budget.

The Bill is expected to be debated in the House of Assembly in July 2020 and the Legislative Council in September 2020. If passed by the Parliament, there would need to be an appropriate transitional period applied before certain components of the proposed legislation would come into effect.

COMMUNICATION (INTERNAL TO COUNCIL)

Audit Committee
Chief Executive Officer
Team Leader - Procurement and Business Improvement
Governance Coordinator

CONSULTATION (EXTERNAL TO COUNCIL)

Local Government Association of SA

POLICY IMPLICATIONS

It is envisaged that various policies of Council may need to be created or reviewed on implementation of any Local Government Reform legislation.

RISK EVALUATION

The key risks and opportunities associated with the Bill are detailed within Council Administration's proposed position in **Attachment 3**.

Risk	
<i>Identify</i>	<i>Mitigation</i>
The proposed Bill, in its current form, is passed by Parliament, subsequently introducing Rate capping which is likely to have material adverse financial impacts on Council's financial operations and its longer-term financial position	Continue to provide feedback and lobby LGA and State Government on key issues.
Opportunity	
<i>Identify</i>	<i>Maximising the opportunity</i>
Provision of sector wide and consistent standards and charters in a number of disciplines.	Provides consistency and potential efficiencies across the sector.

STATUTORY REQUIREMENTS

Local Government Act 1999

FINANCIAL/BUDGET IMPLICATIONS

Staff time/costs spent in reviewing the Bill and associated documentation have been funded from within staff resourcing costs provided within the recurrent budget.

The financial implications of the Bill are yet to be quantified, however is likely to have significant financial/budget and resource implications for Council in the future. The financial impact of any reform activities will continue to be a key consideration for Council.

COMMUNITY PLAN

Objective 5.2: Be recognised as a 'best practice' Local Government organisation [click here](#)

Objective 5.3: Deliver ongoing effective and efficient services, including support for regional collaboration [click here](#)







11.3 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM

Record Number: CC20/57;IC20/496

Author(s): Ben DeGilio, Team Leader Asset Planning

Previous Motions: Nil

Attachments:

1. SA Gawler - Letter of Offer LRCI Program CR20/51750 
2. LRCI Program - Work Schedule - Project Nomination CR20/51752 
3. LRCI Program Grant Agreement CR20/51777 
4. LRCI Funding Allocations CR20/51781 
5. LRCI Program Guidelines CR20/51778 
6. LRCI Program Factsheet CR20/51779 

OFFICER'S RECOMMENDATION

That Council:-

1. Notes the Local Roads and Community Infrastructure Program Report
2. Notes the Town of Gawler is eligible to receive \$405,562 from the Australian Government Department of Infrastructure, Transport, Regional Development and Communications for the Local Roads and Community Infrastructure Program (LRCI) to assist delivery of community outcomes and economic stimulus.
3. Notes the Letter of Offer received from the Australian Government and due date of 31 July 2020 to accept the Grant Agreement and submit the Project Nomination forms.
4. Supports the nominated projects for the LRCI Program as detailed in this report toward the Installation of Shade Sails to Council Playgrounds (\$155,562) and extending the New Footpath Program (\$250,000).
5. Authorises the Mayor and CEO to sign the Local Roads and Community Infrastructure Grant Agreement and execute all other Local Roads and Community Infrastructure funding agreement documentation.

SUMMARY

The Town of Gawler is eligible to receive \$405,562 from the Australian Government Department of Infrastructure, Transport, Regional Development and Communications for the Local Roads and Community Infrastructure Program (LRCI) to assist delivery of community outcomes and economic stimulus.

The LRCI Program aims to assist a community-led recovery from COVID-19 by supporting local jobs, firms, and procurement. It is expected that councils will use local businesses and workforces to deliver projects under the LRCI Program where possible to ensure stimulus funding flows into local communities to the extent possible.

On 22 May 2020 the Australian Government announced a new \$500 million Local Roads and Community Infrastructure Program (LRCI Program).

This program will support local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

A Letter of Offer (refer **Attachment 1**) has been received from the Australian Government confirming the Town of Gawler is eligible to receive the funding and has requested completion of a Project Nomination form (refer **Attachment 2**) along with a signed Local Roads and Community Infrastructure Grant Agreement by 31 July 2020 (refer **Attachment 3**).

Council staff proposed to nominate two projects for the LRCI Program and seek the support of Council to proceed to complete the Project Nomination form and to authorise the Mayor and CEO to sign the Local Roads and Community Infrastructure Grant Agreement to facilitate project delivery in the 2020/21 financial year subject to annual budget approvals.

BACKGROUND

The Local Roads and Community Infrastructure Program (LRCI) Program aims to assist a community-led recovery from COVID-19 by supporting local jobs, firms, and procurement. It is expected councils, where possible, will use local businesses and workforces to deliver projects under the LRCI Program to ensure stimulus funding flows into local communities.

On 22 May 2020 the Australian Government announced a new \$500 million Local Roads and Community Infrastructure Program (LRCI Program).

This program will support local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

The LRCI Program is part of the Government's \$1.8 billion boost for road and community projects through local governments across Australia, including the bringing forward of \$1.3 billion of the 2020-21 Financial Assistance Grant payment, which will also help communities battling the effects of COVID-19. In 2019-20 the Government will provide a total of \$2.5 billion to local governments through the Financial Assistance Grant program.

The purpose of this report is to:

- note the Town of Gawler is eligible to receive \$405,562 of funding from the Australian Government under the LRCI Program;
- note the Letter of Offer received from the Australian Government;
- support the nominated projects as detailed in this report; and
- submit the Nomination Form along with the signed Local Roads and Community Infrastructure Agreement by 31 July 2020 to the Australian Government.

COMMENTS/DISCUSSION

The LRCI Program will run from 1 July 2020 to 31 December 2021, with projects required to be physically completed by 30 June 2021. The Program was announced as part of the Australian Government's wider economic response to COVID-19.

The LRCI Program aims to assist a community-led recovery from COVID-19 by supporting local jobs, firms, and procurement. It is expected that councils will use local businesses and workforces to deliver projects under the LRCI Program where possible to ensure stimulus funding flows into local communities.

The scope of the LRCI Program supports a broad range of eligible projects so communities can fund the infrastructure that they need, support businesses and create employment opportunities across their communities.

The LRCI Program is a demand driven (eligibility based) grant program.

The LRCI Program will be delivered under Outcome 3 of the Department's Portfolio Budget Statement:

- Strengthening the sustainability, capacity and diversity of our cities and regional economies, including through facilitating local partnerships between all levels of government and local communities; through reforms that stimulate growth; and providing grants and financial assistance.

The objective of the LRCI Program is to stimulate additional infrastructure construction activity in local communities across Australia to assist communities to manage the economic impacts of COVID-19.

The intended outcomes of the LRCI Program are to:

- provide stimulus to protect and create local short-term employment opportunities through funded projects following the impacts of the COVID-19; and
- deliver benefits to communities, such as improved road safety, accessibility and visual amenity.

The Department will administer the LRCI Program according to the Commonwealth Grants Rules and Guidelines 2017 (CGRGs).

Grant Amount and Grant Period

The Australian Government has announced a total of \$500 million for the LRCI Program. Funding is available from July 2020.

Eligible Funding Recipients will receive a grant amount called a 'Nominal Funding Allocation'.

The formula used to calculate a Nominal Funding Allocation has been modelled on funding allocations under the Roads to Recovery Program (R2R) and the local road component of the Financial Assistance Grants Program. The formula used to determine a state/territory's share of funding under the LRCI Program follows the same state/territory allocation process as these programs. Within a state/territory's share of funding, the calculation of each Eligible Funding Recipient's Nominal Funding Allocation has been derived based on recommendations from the relevant Local Government Grants Commission, and takes into consideration factors such as population estimates, and road length in each local governing body area. This is similar to how individual shares of R2R funding and local road component of the Financial Assistance Grant Program is calculated.

The formula has been consistently applied to determine the Nominal Funding Allocation of each Eligible Funding Recipient under the LRCI Program.

Co-contributions are not required under the LRCI Program, but Eligible Funding Recipients may expend their own funds on Eligible Projects.

All local Councils in Australia are eligible funding recipients for the LRCI Program (refer **Attachment 4**). Further information is provided in the LRCI Program Guidelines and Factsheet (refer **Attachment 5** and **Attachment 6**).

Eligible Projects

Funding is available for local road and community infrastructure projects that involve the construction, maintenance and/or improvements to council-owned assets (including natural assets) that are generally accessible to the public.

Projects will need to deliver benefits to the community, such as improved accessibility, visual amenity and safety benefits. Eligible local road projects could include works involving any of the following associated with a road:

- traffic signs;
- traffic control equipment;
- street lighting equipment;
- a bridge or tunnel;
- a facility off the road used by heavy vehicles in connection with travel on the road (for example, a rest area or weigh station);
- facilities off the road that support the visitor economy; and
- road and sidewalk maintenance, where additional to normal capital works schedules.

Eligible community infrastructure projects could include works involving:

- Closed Circuit TV (CCTV);
- bicycle and walking paths;
- painting or improvements to community facilities;
- repairing and replacing fencing;
- improved accessibility of community facilities and areas;
- landscaping improvements, such as tree planting and beautification of roundabouts;

- picnic shelters or barbeque facilities at community parks;
- playgrounds and skateparks (including all ability playgrounds);
- noise and vibration mitigation measures; and
- off-road car parks (such as those at sporting grounds or parks).

Proposed Town of Gawler Projects

Council staff have nominated projects that are considered eligible for the LRCI Program to assist in delivering the intended outcomes and economic stimulus to the local economy. Existing Council programs can be nominated, however to be considered eligible the LRCI funding has to be in addition to any existing contributions by the Council.

Economic Stimulus Projects

The nominated Town of Gawler projects proposed for inclusion in the LRCI Program include new Shade Sails to Council Playgrounds as well as Council's New Footpath Program. Both of these nominated projects are considered to meet the eligibility criteria in the LRCI Program Guidelines and the intended outcomes delivering local short term employment opportunities with improved amenity and accessibility. A breakdown of the nominated projects is provided below in

Table 1 – Nominated LRCI Projects and Financial Contributions

Nominated Project	Council Contribution	LRCI Contribution	Combined Contribution
Shade Sails to Playgrounds	\$94,438	\$155,562	\$250,000
New Footpath Program	\$330,000*	\$250,000	\$580,000
Total	\$424,438	\$405,562	\$830,000

* Note that \$330,000 is allocated in the draft 20/21 Annual Budget for the placement of New Footpaths, which will be extended as part of this program.

It is important to note that the above projects are considered to provide the required outcomes of the LRCI Program and can be delivered within Councils existing administrative resource capacity.

If any changes to the nominated projects in Table 1 are pursued by the Council, there should be consideration given to:

- the LRCI Program Guidelines;
- existing resource capacity of Council's administration to deliver the projects in the 2020/21 financial year (particularly given the diverse nature of the recent \$2M economic stimulus projects added to the capital works program).

Proposed Next Steps

Council staff seek support of the Council to proceed to complete the Project Nomination forms and return to the Australian Government along with the signed Grant Agreement by the 31 July 2020 otherwise the funding will lapse. The Department will then endeavour to advise the Town of Gawler within two weeks of acknowledging receipt of Project Nomination form whether nominated projects have been approved.

The Department will provide the Town of Gawler with an approved Work Schedule at that time. The Town of Gawler will receive up to 50% of the nominal funding allocation in the first payment after the Department provides an approved Work Schedule. Of note, funding for the LRCI Program is available from 1 July 2020.

COMMUNICATION (INTERNAL TO COUNCIL)

Executive Management Group
 Team Leader Finance
 Team Leader Asset Planning
 Team Leader Asset Delivery
 Team Leader Town Services
 Team Leader Development Services
 Special Projects Officer

CONSULTATION (EXTERNAL TO COUNCIL)

Nil

POLICY IMPLICATIONS

Nil

RISK EVALUATION

Risk	
Identify	Mitigation
Council resource capacity if nominated projects are not as detailed in this officer report	Further consideration of Council's administration ability to deliver additional nominated projects based on scope and complexity.
Not signing the Grant Agreement and submitting a Project Nomination Form by 31 July 2020 will result in loss of funding.	Ensure the Project Nomination form and Grant Agreement is signed and submitted back to the Australian Government before 31 July 2020.
Opportunity	
Identify	Maximising the Opportunity
The nominated projects as detailed in this report are considered appropriate to deliver the intended economic stimulus outcomes under the LRCI Program.	Extending on Council's existing new footpath program and utilising the existing resource capacity of Council administration.

STATUTORY REQUIREMENTS

Local Government Act 1999
Development Act 1993
Road Traffic Act 1961

FINANCIAL/BUDGET IMPLICATIONSEconomic Stimulus Projects

The nominated Town of Gawler projects proposed for inclusion in the LRCI Program include new Shade Sails to Council Playgrounds as well as Council's New Footpath Program. Both of these nominated projects are considered to meet the eligibility criteria in the LRCI Program Guidelines and the intended outcomes delivering local short term employment opportunities with improved amenity and accessibility.

The grant funding of \$405,562 has been provided for within the 2020/21 draft Budget, and the projects to which the funding is proposed to be aligned are incorporated in the projects included in the proposed \$2m Economic Stimulus Package.

It is important to note that the above projects are considered to provide the required outcomes of the LRCI Program and can be delivered within Council's existing administrative resource capacity.

COMMUNITY PLAN

Objective 2.1: Physical and social infrastructure to service our growing population and economy

Objective 2.2: Growth to be sustainable and respectful of cultural and built heritage

Objective 2.3: The local environment to be respected

Objective 2.4: Manage growth through the real connection of people and places

Objective 2.5: Local economic activity to create local job opportunities and generate increased local wealth

Objective 3.3: Provide facilities for a range of different recreational activities.

11.4 MURRAY STREET UPGRADE STAGE 7 UPDATE

Record Number: CC20/57;IC20/488

Author(s): Whendee Young, Team Leader Asset Delivery

Previous Motions: Council, 07/08/2020, RESOLUTION 201:07.281,
Council, 13/09/2018, RESOLUTION 2018:09:336,
Council, 26/02/2019, RESOLUTION 2019:02:26:COU035,
Council, 26/03/2019, RESOLUTION 2019:03:COU088,
Council, 03/06/2020, RESOLUTION 2020:06:COU174

Attachments:

1. **Murray Street Stage 7 Landscape Plans CR20/52163** 
2. **Economic Analysis for NHVSP - Murray Street Stage 7** 
3. **Murray Street Stage 7 Delivery Program** 

OFFICER'S RECOMMENDATION

That Council notes:-

1. **Murray Street Upgrade Stage 7 Report.**
2. **The scope of the roads works will extend to the Council's road boundary immediately north of the Murray Street and Tenth Street intersection.**
3. **The delivery program for the Murray Street Stage 7 project.**
4. **That despite ongoing efforts of Council staff to engage with the Department of Planning Transport and Infrastructure (DPTI) to seek State Government funding for the upgrade of their controlled Adelaide Road/Twelfth Street intersection as part of the Council's works, over many years, that this remains unfunded and will now occur at a later time as determined by DPTI.**

SUMMARY

This report provides an update on the Murray Street Upgrade Stage 7 as it relates to its community engagement, scope and delivery program for the project.

BACKGROUND

Murray Street Stage 7 was previously referred to as "Roadworks Section South" as it related to the then Murray Street Stage 6 project. This scope of work was removed from Stage 6 deliverable due to the revised cost once the detailed design had been developed and ability to seek further grant funding opportunities to assist in funding its delivery.

There have been numerous Council resolutions relating to the Murray Street Stage 7 works which are summarised below.

At its Special Meeting held on 7 August 2018, the Council considered a report of the State Government's Regional Growth Fund and resolved the following (extract) as it relates to the Murray Street Stage 6 Project extension from the Gawler Mill Inn Bridge through to the intersection of Seventh/Tenth Streets, defined as "Roadworks Section South".

(Extract)

RESOLUTION 2018:07:281

Moved: Cr K Fischer

Seconded: Cr D Hughes

That Council:

- 1. Apply to the State Government's Regional Growth Fund's Competitive Pool for financial assistance towards the delivery of the 'Roadworks Section South' component of the Murray Street Upgrade Stage 6.*
- 2. Apply to the State Government's Regional Growth Fund's Strategic Pool for financial assistance towards the delivery of the 'Roadworks Section South' component of the Murray Street Upgrade Stage 6 if its application to the Competitive Pool is unsuccessful.*

At its Special Council Meeting held on 13 September 2018, the Council considered the results of the tender for the delivery of the Murray Street Stage 6 Upgrade Project and resolved (extract) the following:

(Extract)

RESOLUTION 2018:09:336

Moved: Cr K Fischer

Seconded: Cr D Hughes

That Council:

- 11. Notes that should the Council be successful in seeking grant funding under the State Government's Regional Growth Fund to deliver the optional scope 'Roadworks Southern Section' (decision expected by end of November 2018) as well as contribute to the funding of the committed scope, which will result in this optional scope being delivered at no further cost to the Council as well as a contribution to the committed scope, the total grant value being \$1.76M. Should this grant be received, the current \$0.766M shortfall will be largely funded.*
- 12. Notes that should the Council be successful with this grant, a further report will be presented to the Council seeking to deliver this optional Roadworks Southern Section component of the works.*

At the ordinary Council meeting held on 26 February 2019 the following was resolved (extract).

(Extract)

RESOLUTION 2019:02:26:COU035

Moved: Cr C Davies

Seconded: Cr D Hughes

That Council notes the Murray Street Stage 6 Upgrade - Progress Report and it acknowledges:

- 3. Federal Government funding hoped to be received to enable the Murray Street Southern Section Scope (from the Gawler Mill Inn Bridge to Tenth Street) has not be realised and so further funding will be sought as and where possible to deliver this next stage of works.*

At the ordinary Council meeting held on 26 March 2019 the following was resolved:

RESOLUTION 2019:03:COU088

Moved: Cr D Hughes

Seconded: Cr N Shanks

That Council:

- 1. Notes the Special Local Roads Program – Grant Opportunity Report.*
- 2. Endorses an application to be made to the Local Government Transport Advisory Committee for the next stage of the Murray Street Upgrade Project, namely the upgrade of Adelaide Road between the Gawler Mill Inn Bridge and the Southern end of Seventh Street – Tenth Street intersection under the Special Local Roads Program.*
- 3. Endorses the 50/50 project funding arrangement as outlined in this report noting \$887,695 will be sought from the Special Local Roads Program with the remaining \$887,696 to be funded from Council's proposed transport assets new/renew capital works and existing Roads to Recovery funding in the 2019/20 financial year to ensure minimal impact to Council's Long Term Financial Plan.*
- 4. Note the State Government's Minister for Local Government is expected to make an announcement of successful projects in September 2019.*
- 5. Authorise the Chief Executive Officer to sign all relevant documents to complete this application to the Special Local Roads Program.*
- 6. Advises the Department of Planning, Transport and Infrastructure (DPTI) of the Town of Gawler Special Local Roads application and seek a State Government financial contribution (via DPTI) for the delivery of the Twelfth Street – Adelaide Road intersection as part of the Murray Street Roadworks South Project.*

At the special Council meeting held on 3 June 2020 the following was resolved:

(Extract)

RESOLUTION 2020:06:COU174

Moved: Cr D Hughes

Seconded: Cr P Little

That Council notes that:

- 7. An application has been submitted to the Australian Government's Heavy Vehicle Safety and Productivity Program seeking \$463,000 toward the Murray Street Stage 7 Project, requiring a contribution from Council of \$463,339 and the Special Local Roads contribution already secured of \$854,000.*

The purpose of this report is to provide an update to the Council on this project, namely;

- upcoming community engagement,
- the project scope, and
- delivery program being progressed.

COMMENTS/DISCUSSION

Murray Street Stage 7 Scope

Murray Street Stage 7 is the final stage of the upgrade of Murray Street which started in 2012 with Stage 1 Murray St – Lyndoch to Carlton Rd. Stage 6 was completed in 2018 up to and including the Gawler Mill Inn Bridge.

Stage 7 includes the road from the Gawler Mill Inn Bridge up to, and including, the Tenth Street Intersection, as shown in Figure 1 (Landscaping extent in **Attachment 1**), which is the Town of Gawler's road boundary with the State Government controlled arterial road network.

- a. Road realignment and safety improvements around the intersections of Adelaide Road and Tenth Street and Seventh Street, including cycling lane delineation.
- b. Improved drainage and stormwater control within the project boundary.
- c. Improved road and pedestrian lighting.
- d. Revitalised landscaping, including extending the visual amenity from the other stages of Murray Street upgrades across the Gawler Mill Inn Bridge.

Importantly these works improve the heavy vehicle access into the Town of Gawler which will achieve improved productivity and safety for the growing heavy vehicle demands. The project represents an opportunity to reduce the volume of commercial traffic using the Gawler Heavy Vehicle Route by up to 460 semi-trailer trips per annum. This will be achieved by increasing the available road capacity to cater for 45.5T rated heavy vehicles, in lieu of the current 42.5T (thus increasing the individual payloads possible). A copy of an economic analysis used to underpin the recent Heavy Vehicle Safety and Productivity Program application is contained in **Attachment 2**.

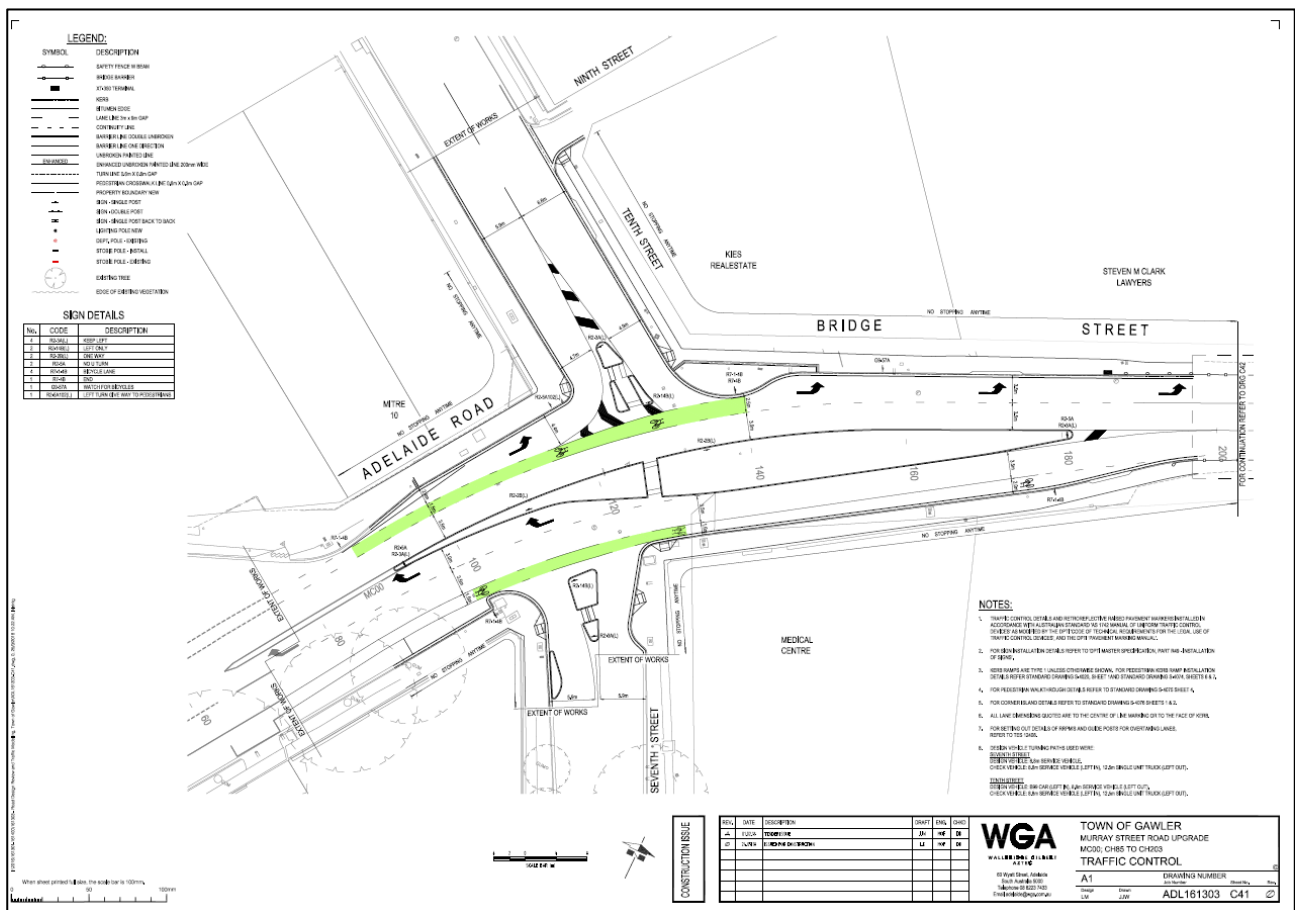


Figure 1: Extent of Murray Street Stage 7 works funded

Adelaide Road/Twelfth Street Intersection

The opportunity to extend the scope of Murray Street Stage 7 to include works up to and including the Twelfth Street intersection has been explored with Department for Planning, Transport and Infrastructure.

The Scope of works required for this project involves;

- project management,
- landscaping,
- footpaths,

- To date there has been no commitment from DPTI to fund this extension to the works despite previous letters from the Council to senior DPTI officers explaining the benefits of aligning this intersections upgrade at the time of the Council's Murray Street upgrade from a community interest perspective (i.e. roadwork nuisance). This has included ongoing efforts of Council staff with staff in the DPTI operational units and development of the full detailed design by the Council. To be clear, this intersection has been identified by DPTI in their long term network planning as being a necessary upgrade to their road network in Gawler.

Council staff will continue to lobby for this intersection's upgrade, which will now be delivered separate to the Stage 7 project. This is due to the need to deliver the Stage 7 works within the timeframes allowable by the Special Local Roads Program and also at a time when the works will have least impact on the Township (i.e. main road works in Jan/Feb 2021).

ADELAIDE ROAD

TWELFTH STREET, GAWLER

REFERENCE DOCUMENTS

- CROSS SECTION REPORT
- GEOMETRIC REPORT
- AS 1162 MANUAL OF TRAFFIC CONTROL DEVICES
- OPT 6002 OF TECHNICAL REQUIREMENTS FOR THE LEGAL USE OF TRAFFIC CONTROL DEVICES
- OPT 1000 MASTER MARKING MANUAL
- OPT 1001 MASTER SPECIFICATION
- S-4075 SHEETS 6 & 7 (KERBS AND GUTTER)

TITLE AND INDEX SHEET LOCATION	GENERAL CONSTRUCTION SHEET LOCATION	FINAL SURFACE CONTOURS SHEET LOCATION	PAVEMENT TREATMENT SHEET LOCATION	TRAFFIC CONTROL SHEET LOCATION
C151 MC30, CH 9 TO CH 85	C162 MC30, CH 9 TO CH 85	C163 MC30, CH 9 TO CH 85	C164 MC30, CH 9 TO CH 85	C165 MC30, CH 9 TO CH 85

TRAFFIC SIGNALS SHEET LOCATION	LIGHTING SHEET LOCATION	LONGITUDINAL SECTIONS SHEET LOCATION	CROSS SECTIONS SHEET LOCATION	LANDSCAPE DESIGN SHEET LOCATION
C156 NO LAMPING REQUIRED	C167 MC30, CH 9 TO CH 85	C168 MC30, CH 9 TO CH 85	C169 MC30, CH 9 TO CH 85	C170 MC30, CH 9 TO CH 85

LOCALITY PLAN
NOT TO SCALE

WGA WALLACE GILLIES ASSOCIATES 100 West Street, Suite 1100 Melbourne VIC 3006 Tel: 03 9247 1111 Fax: 03 9247 1112 www.wga.com.au	 Department of Planning, Transport and Infrastructure PO Box 112 Adelaide SA 5000 Tel: 08 8226 7000 Fax: 08 8226 7001	PROJECT No.: FILE No.: DESIGN No.: SURVEY No.: PROJECT STAY BY ROAD BOUNDARY: PROJECT YEAR BEARING DETAILS:	<p style="text-align: center;">ROAD No. 4405 ADELAIDE ROAD TWELFTH STREET, GAWLER MC30, CH 9 TO CH 85 TITLE AND INDEX</p>
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Item 11.4

Program

The Murray Street Stage 7 delivery program is shown in **Attachment 3** and summarised as follows:

- Local Community Engagement – July/August 2020.
- Tree procurement - July/August 2020.
- Roadworks Procurement – September –November 2020.
- Contract award – November 2020 (note that this will be the subject of Council Report for endorsement of the preferred Tenderer).
- Early Works – December 2020.
- Works commence – January 2021.
- Works complete – March 2021.

Procurement

The Murray Street Stage 7 project will be procured using an Open Tender process targeted to appropriately skilled contractors (i.e. minimum Tier 2 DPTI approved contractors). Local economic benefit and social inclusion for our community will be a key criteria of the procurement undertaking. Procurement documentation will require respondents to provide information relating to Local Economic Benefit & Social Inclusion as follows:

- a. Number of Local staff to be utilised and percentage of local staff employed;
- b. Local subcontractors and percentage of local subcontractors;
- c. Suppliers, including location and percentage of local supply inputs;
- d. Details of traineeships, apprenticeships and support programs offered to disadvantaged groups; and
- e. Other local benefits, including maintenance/service locally, local investment or value adds.

Council staff have also reviewed the capital works program for FY20/21 in order to seek procurement efficiencies. One of these procurement efficiencies is the inclusion of the Murray Street South culvert remediation project as part of the scope of works for the Murray Street Stage 7 tender.

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer
Manager Infrastructure and Engineering
Manager Finance & Corporate Services
Team Leader Asset Planning
Team Leader Asset Delivery
Team Leader Town Services
Project Engineers
Projects and Contracts Officer
Special Projects Officer
Procurement and Business Improvement

CONSULTATION (EXTERNAL TO COUNCIL)

Department for Planning, Transport and Infrastructure.

Engagement has continued at officer level, more recently between November 2019 and April 2020 in an attempt to resolve DPTI funding opportunities for the inclusion of Twelfth Street in the Murray Street Stage 7 project. The last verbal correspondence from DPTI indicated that there was no funding available to pursue this option. Written communication has been sought from DPTI but to date no further correspondence about the status of funding for Twelfth Street has been received.

Local Government Association of SA

Communication has continued with the LGA to confirm the Special Local Roads funding is secure with the timeframes proposed for the projects delivery.

Planned engagement with broader community, local property owners and businesses.

A detailed engagement plan will be developed in the lead up to the project delivery. As part of the National Heavy Vehicle Program grant submission Council staff have recently consulted with community members in the development of this particular proposal to support the grant application. In light of the devastation COVID 19 has made on local business, the additional economic benefits that this project will bring, including jobs is welcomed. Positive feedback has been received from several of the local businesses and also from Nick Champion MP, Federal Member for Spence:

'This district is in high need and would greatly benefit from such an initiative.... the project will both enhance road safety and directly increase economic activity both locally and regionally during the construction phase.'

The project will involve direct local community engagement who will be impacted by the works as well as broader community advice through Council's website, Social Media Facebook and Media Releases in advance of this project and a key junctures. The local community will also be provided opportunity to review the design developed and meet with project representatives pre-delivery to discuss any concerns that they may have.

Small business impact mitigation will be a consideration of the project planning and will be explored further in the community engagement phase prior to procurement to ensure project delivery is considerate of local business requirements.

There is overall support for the project which remains on schedule for completion in the first quarter of 2021.

POLICY IMPLICATIONS

Infrastructure Asset Management Policy

RISK EVALUATION

Risk	
Identify	Mitigation
Council does not support project scope and procurement approach.	Update report provided for noting provides the opportunity for consideration of any relevant factors in progressing the pre-delivery phase.
Council receives stakeholder complaints due to impacts on small business, construction works, or changed traffic conditions.	<p>Early engagement with small business operators and adjoining property owners through pre-delivery phase and ongoing during delivery of project will minimise risks.</p> <p>Continued focus on optimising mitigation measures for small business impacts throughout tender process. Stakeholder concerns will have some form of mitigation.</p> <p>Stakeholder engagement plan to be developed.</p> <p>Consistent personnel (Contractor and Council) to be available on-site to respond to queries in real time.</p>

Opportunity	
Identify	Maximising the Opportunity
Road carrying capacity does not support larger heavy vehicle carrying capacity	Increase capacity to cater for larger mass Heavy Vehicles (ie 42.4t to 45.5t)
Further grant funding to offset cost of project	National Heavy Vehicle Safety & Productivity Program grant submitted. Advice due in August 2020.
Town of Gawler Beautification	The project includes landscape treatments similar to the Murray Street Stage 6 upgrades to further beautify the Town Centre.

STATUTORY REQUIREMENTS

Section 122 of the *Local Government Act 1999* requires that the asset management funding requirements outlined in the Asset Management Plan be consistent with the financial projections in Council's LTFP.

FINANCIAL/BUDGET IMPLICATIONS

The estimated budget breakdown for the Murray Street Stage 7 works is summarised in the following table. The budget below is based escalated cost estimates to 2020 costs.

As part of the detailed pre-project delivery planning, a further review will be undertaken to consider a staging plan for the works that includes out of business hours works. This will look to minimise the impact on the community from the project disruptions while balancing the project budget.

A total project budget of \$1.78M is available to deliver this project which is made up of the components shown in Table 1 below.

TABLE1: PROJECT COST ALLOWANCES BREAKDOWN

Project Cost Category	Comments
Client Management and Oversight Costs	Includes in-house project management plus allowance for external site supervision support
Design and Investigation	Already completed.
Insurance, Fees and Levies	Includes insurances, bank guarantee fees, CITBL and other contract approvals
Acquisition Costs	In-house procurement and acquisition estimated at 5% of project cost with 10% procurement contingency
Environmental Works	Environmental controls.
Traffic Management and Temporary Works	Includes traffic management plans, VMS signage, and traffic management during construction
Public Utilities Adjustment	Includes identification of services, pit adjustments, temporary works to facilitate construction and provision sum for additional adjustments, relocations or protection.
Bulk Earthworks	Includes demolition, excavation (including profiling), and disposal of materials, pavements, kerbing, structures etc
Drainage	Includes stormwater and kerb & gutter

Pavements	Includes Pavement Types A, D, E, F (footpath), G, H and L (parking bays)	
Finishing Works	Includes street lighting	
Traffic Signage, Signals and Controls	Includes line-marking and posts/signs	
Contractor preliminaries, overheads and margins	Includes mobilisation, clean-up, contract works maintenance, contractors preliminaries, overheads and margins	
Other	Includes landscaping and CCTV adjustments	
Contingency	Allocation made considered appropriate	
TOTAL PROJECT COST	\$ 1,780,000	

The confirmed budget funding for the project is detailed in the following table:

Funding Source	Budget
Special Local Roads Program	\$ 854,000
Council FY20/21 budget	\$ 926,000
Total	\$ 1,780,000

As per the 3 June 2020 Council meeting (RESOLUTION 2020:06:COU174), a grant submission for \$430,000 from the Australian Government has been submitted to the Heavy Vehicle Safety and Productivity Program which, if successful, will reduce the Council commitment down to \$496,000 as shown in the table below.

Funding Source	Budget
Australian Government	\$430,000
State / Territory Government	\$854,000
Council	\$496,000
Total	\$ 1,780,000

COMMUNITY PLAN

Objective 1.1: Maintain a clearly defined township, one which is distinct from neighbouring areas

Objective 1.2: Build a local community that is proud of Gawler

Objective 1.3: Protect and promote Gawler's unique heritage

Objective 2.1: Physical and social infrastructure to service our growing population and economy

Objective 2.4: Manage growth through the real connection of people and places.



11.5 LOCAL GOVERNMENT ASSOCIATION - CALL FOR NOMINATIONS FOR GREATER ADELAIDE REGIONAL ORGANISATION OF COUNCILS MEMBERS

Record Number: CC20/57;IC20/544

Author(s): Kate Symes, Governance Coordinator

Previous Motions: Council, 25/09/2018, Motion No: 2018:09:345

Attachments:

1. **Letter to CEO Town of Gawler - regarding nominations for GAROC members - 2020 CR20/52989** 
2. **List of GAROC Regional Groupings & Extract GAROC Terms of Reference CR20/52990** 

OFFICER'S RECOMMENDATION

That Council:-

1. **Notes the Local Government Association Greater Adelaide Regional Organisation of Councils nominations information provided by the Local Government Association of SA.**
2. **Authorises CEO Henry Inat to complete the nomination form with the nominee as Member of the Greater Adelaide Regional Organisation of Councils.**
3. **Resolves that Mayor Karen Redman be nominated as a Member of the Greater Adelaide Regional Organisation of Councils.**

SUMMARY

On 21 July 2020 the Local Government Association (LGA) wrote to Council calling for nominations to fill the eight positions of the Greater Adelaide Regional Organisation of Councils (GAROC). A copy of the letter has been included as **Attachment 1**. The current term expires at the 2020 LGA Annual General meeting (AGM) and as such the LGA is calling for nominations to fill the two (2) positions allocated to each Regional Grouping of Councils on GAROC (eight positions in total) to commence office from the conclusion of the 2020 LGA Annual General Meeting and to remain in office until the conclusion of the 2022 AGM.

BACKGROUND

At the 2019 LGA AGM, members endorsed the establishment of four (4) GAROC Regional Groupings to take effect from the 2020 GAROC elections, with membership of GAROC to comprise two eligible members elected by a majority vote of the councils within each Regional Grouping, provided that each person elected for that Regional Grouping is from a different member. Additionally, the Lord Mayor of the City of Adelaide will be a standing member of GAROC. A list of the GAROC Regional Grouping has been included in **Attachment 2**.

As such the CEO of the Town of Gawler has been invited as a Member Council in the North Regional Grouping to invite one (1) nomination from the Council for a position on the North Regional Grouping of GAROC.

COMMENTS/DISCUSSION

A nomination may only be made by resolution of the Council. The nomination form must be signed by both the candidate nominated by the Council to indicate his/her willingness to stand for election, and by the Chief Executive Officer of the nominating Council.

Any Member of the GAROC Regional Grouping may nominate a candidate for membership of GAROC, provided that:

- a) a person nominated as a member of GAROC must be a representative of a member on the relevant Regional Grouping of Members; and

- b) only a Council Member can be nominated to GAROC.

A nomination of a person as a member of GAROC must be by Council resolution. A nomination must be signed by the candidate indicating his or her willingness to stand for election.

Mayor Karen Redman has indicated that if support for her nomination for the President of the Local Government Association is not supported by Council her intention will be for renomination as a member of GAROC.

Voting

The GAROC Terms of Reference (TOR) (extract attached) outlines the process as to how an election will occur. If the number of nominations for each GAROC Regional Grouping exceeds the number of positions then the returning officer will hold a ballot. If a ballot is required, the distribution of ballot papers to councils will include any information provided on the candidate information sheet.

Timetable

Key (indicative) timings and GAROC Terms of Reference provisions are outlined in the following table:

Indicative Timing	Headline	GAROC TOR Provision
24 August 2020	Nominations Close	Nominations must be received by the CEO no later than 5pm on the day specified for the close of nomination, being 24 August 2020 (Clause 4.3.4).
	Nominations equal to vacancies	If the number of nominations received equals the number of vacant positions for the Regional Grouping each candidate is elected and takes office at the conclusion of the AGM (Clause 4.4.3)
7 September 2020	Ballot papers prepared and posted	In the event of an election being required the CEO shall deliver ballot papers to each member of the relevant Regional Grouping at least 6 weeks before AGM GAROC (Clause 4.4.5(a))
19 October 2020	Voting closes	The CEO shall nominate the date, time and place for the counting of votes and shall invite each candidate and a person nominated as the candidate's scrutineer to be present (Clause 4.4.5(f))
20 October 2020	Counting of votes	The CEO shall nominate the date, time and place for the counting of votes (Clause 4.4.5(f))
29 October 2020	Final declaration of result	CEO shall declare the candidate with the most votes elected at the AGM (Clause 4.4.5(h))
29 October 2020	Takes office	GAROC members take office at the conclusion of the AGM (Clause 4.5)
29 October 2020	Voting for Board Members	GAROC should meet at the conclusion of the AGM to elect 3 of its members (plus its Chair) to the Board of Directors (Clause 6.4.1 and 6.4.2) who's term of office commences after the AGM.

LGA Board Appointments

Under the LGA Constitution and the GAROC TOR, once members are elected to GAROC, these members will then elect a Chair and three GAROC members to form the LGA Board of Directors. These GAROC LGA Board Directors will be accompanied by their equivalent from SAROC, as well as the President and Immediate Past President, to form the ten (10) member LGA Board of Directors.

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer
Manager Finance and Corporate Services
Governance Officers

CONSULTATION (EXTERNAL TO COUNCIL)

Local Government Association of SA

POLICY IMPLICATIONS

Nil

RISK EVALUATION

Opportunity	
Identify	Maximising the Opportunity
Representation/Cross collaboration	Having the Town of Gawler represented on the GAROC Committee would ensure the activities identified support the role, sustainability and wellbeing of the Greater Adelaide community.

STATUTORY REQUIREMENTS

Nil

FINANCIAL/BUDGET IMPLICATIONS

There is no financial impact to the Town of Gawler for nominating a candidate for GAROC or following the successful appointment to GAROC.

COMMUNITY PLAN

Objective 5.1: Support and encourage community teamwork
Objective 5.2: Be recognised as a 'best practice' Local Government organisation
Objective 5.3: Deliver ongoing effective and efficient services, including support for regional collaboration




11.6 LOCAL GOVERNMENT ASSOCIATION PRESIDENT NOMINATIONS

Record Number: CC20/57;IC20/543

Author(s): Kate Symes, Governance Coordinator

Previous Motions: Nil

Attachments:

1. **Election for LGA President - Includes Candidate Information Sheet and Ballot Paper - LGA of South Australia CR20/52983** 
2. **Extract from LGA Constitution, Fact Sheet & Position Description for LGA President - 2020 CR20/52984** 
3. **Mayor Redman - Candidate Information Sheet CR20/53131** 

OFFICER'S RECOMMENDATION

That Council:

1. **Notes the Local Government Association (LGA) President Nominations information provided by the Local Government Association of SA.**
2. **Endorses Mayor Karen Redman nomination for LGA President:**

SUMMARY

On 20 July 2020 the Local Government Association (LGA) wrote to Councils calling for nominations for the position of LGA President.

BACKGROUND

The LGA Constitution outlines the process and timeline for the conduct of Board elections. It includes provision for the calling of nominations for the office of President by no later than 1 September before officers are to retire in every second year.

As more than the required nominations was received, the LGA will hold an election for the position of LGA President. A copy of the letter from the LGA has been included in **Attachment 1**. All nominations must be received by 24 August 2020.

COMMENTS/DISCUSSION

The LGA Constitution specifies that the office of President must be occupied on a rotational basis between a Council member from a Council in the South Australian Regional Organisation of Councils (SAROC) and a Council member from a Council in the Greater Adelaide Regional Organisation of Councils (GAROC). For this election, nominations are for Council members within GAROC. To be eligible for nomination, a person must be a Council member and be a current member of the GAROC Committee and have been in that role for at least 1 year. An eligible candidate needs to be nominated by a member Council but does not need to be nominated by their own Council. The Fact Sheet and Position Description has been included in **Attachment 2** for further information on eligibility and role responsibilities.

As per the LGA Constitution, if an election is required, a preferential voting system will be used being the system contained in the Local Government (Elections) Act 1999, commonly known as 'proportional representation'.

The counting of votes will take place at Local Government House on 20 October 2020 commencing at 9:00am. Each candidate and another person nominated as the candidate's scrutineer may be present at the counting of the votes (Clause 29.5.6). The successful candidate will be the candidate receiving the most votes that is the "first past the post".

The successful candidate will take office from the conclusion of the LGA's 2020 Annual General meeting for a term ending at the conclusion of the 2022 LGA Annual General Meeting.

Mayor Karen Redman has indicated that it is her intention, as an eligible candidate to nominate for this position. (refer Attachment 3)

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer
Manager – Finance & Corporate Services
Governance

CONSULTATION (EXTERNAL TO COUNCIL)

Local Government Association of SA

POLICY IMPLICATIONS

Nil

STATUTORY REQUIREMENTS

Local Government (Elections) Act 1999

FINANCIAL/BUDGET IMPLICATIONS

Nil

COMMUNITY PLAN

Objective 5.2: Be recognised as a 'best practice' Local Government organisation

Objective 5.3: Deliver ongoing effective and efficient services, including support for regional collaboration

11.7 APPOINTMENT OF COUNCIL ASSESSMENT PANEL

Record Number: CC20/57;IC20/462

Author(s): Jane Strange, Senior Development and Strategic Policy Officer

Previous Motions: Council, 28-08-2018, Motion No. 2018:08:307

Attachments: Nil

OFFICER'S RECOMMENDATION

That Council:-

- 1. Appoints the following Independent Members to the Council Assessment Panel for a period of two years from 1 October 2020 to 30 September 2022:**
 - a. Dr Michael Llewellyn-Smith**
 - b. Ms Fleur Bowden**
 - c. Mr Ross Bateup**
- 2. Appoints Dr Michael Llewellyn-Smith, as a fit and proper person who is appropriately qualified to act as a member of the assessment panel on account of his experience in local government, to the position of Presiding Member of the Council Assessment Panel for a period of two years from 1 October 2020 to 30 September 2022.**
- 3. Authorise the Manager Development Environment and Regulatory Services to seek expressions of interest for the positions of Council Assessment Panel Independent Member (one position) and Deputy Independent Member (one position) for a period of two years from 1 October 2020 to 30 September 2022, and to prepare a shortlist of suitably qualified applicants.**
- 4. Appoint the Mayor, Cr....., Cr.....and Manager Development Environment and Regulatory Services as the Council Assessment Panel Member Selection Panel for the purposes of recommending to Council at a future meeting a preferred candidate for the position of Council Assessment Panel Independent Member (one position), and Deputy Independent Member (one position).**
- 5. Requests the Mayor write to Dr Susan Shannon, thanking her for her service over the past five years.**

SUMMARY

The current independent membership of the Council Assessment Panel (CAP) has been in place since 1 October 2018 under the *Planning, Development and Infrastructure Act 2016* (the Act) and its Regulations. The panel is the delegate of Council under Section 34(23) and 34(24) of the *Development Act 1993* until the full implementation of the Act and, in conjunction with this, the Planning and Design Code.

The current term for independent members expires on 30 September 2020 and, due to the postponement of implementation of the Act, which was due to be 1 July 2020, it is recommended that Council reappoint the current CAP for a further two years until 30 September 2022.

BACKGROUND

On 28 August 2018, Council appointed the current CAP Independent Members in the following motion:

RESOLUTION 2018:08:307

Moved: Cr K Fischer

Seconded: Cr D Hughes

That Council:-

1. *Appoints the following Independent Members to the Council Assessment Panel for a period of two years from 1 October 2018 to 30 September 2020:*

Dr Michael Llewellyn-Smith

Mr Mike Canny

Ms Fleur Bowden

Mr Ross Bateup

2. *Appoints Dr Michael Llewellyn-Smith to the position of Presiding Member of the Council Assessment Panel for a period of two years from 1 October 2018 to 30 September 2020.*
3. *Appoints Dr Susan Shannon to the position of Deputy Independent Member of the Council Assessment Panel for a period of two years from 1 October 2018 to 30 September 2020.*
4. *Appoints Cr Marilyn Nicolson as the Council Assessment Panel Council Member for the term from 28 August 2018 to 8 November 2018.*
5. *Appoints Cr David Hughes as the Council Assessment Panel Deputy Council Member and Cr Kevin Fischer as the second Council Assessment Panel Deputy Council Member for the term from 28 August 2018 to 8 November 2018.*

In February, the full implementation of the Act was originally deferred until at least September this year however, due to the complexity of the process and the need for Councils to be business ready, it is now expected to be later this year. The Minister has not yet made a decision on the exact date.

This Council is part of the Phase 3 implementation of the Planning and Design Code (Code) and, as such, will not be subject to go live until later this year on a date to be designated by the Minister.

The Regional Councils in Phase 2 have now been given a date of 31 July for go live of the Code. All Councils are required to have their CAPs in place by the relevant go live date.

Independent membership of a CAP is dependent upon each member achieving accreditation under the Accreditation Scheme conducted by the Department of Planning, Transport and Infrastructure (DPTI). There is one exception to this rule which will be examined later in this report.

The current Independent Membership of the CAP is as follows:

- Dr Michael Llewellyn-Smith (Presiding Member)
- Ms Fleur Bowden
- Mr Ross Bateup
- Dr Susan Shannon (Deputy)

Dr Shannon has filled the vacancy left following the passing of Mr Mike Canny earlier this year. She has indicated she will not stand again and wishes her membership of the CAP to cease on 30 September 2020. Dr Shannon has served on both the CAP and previously on the Development Assessment Panel as Presiding Member.

The Council Member and Deputy Council Member positions do not fall vacant until November 2020.

COMMENTS/DISCUSSION**Accreditation**

It is a requirement under the Act that all independent CAP members are accredited under the DPTI Accredited Professionals Scheme. This scheme applies to planning and building practitioners who are relevant authorities and Council and Regional Assessment Panel members and brings into play standardisation of the criteria for certain levels of planning practice.

Accredited professionals need to maintain and enhance their professional knowledge and skills as their careers progress by engaging in Continuous Professional Development (CPD).

The regulations define CPD as activities that:

- are of significant educational, practical or technical value and are related to the activities of an accredited professional (taking into account the relevant class of accreditation under the regulations);
- are conducted by a person with practical or academic experience in the subject covered by the activity;
- are relevant to the immediate or long-term professional development needs of an accredited professional who is undertaking the activity; or
- comprise any of the following: - attendance at, or presentation of, a lecture, seminar, conference, workshop, educational program or course - engagement (viewing or listening) in educational material presented as a part of a multi-media, web-based or recorded program; or - preparing material for any lecture, seminar, conference, workshop, educational program or course, or for any multi-media, web-based or recorded program.

To ensure the maintenance of professional standards of accredited professionals, there will be a requirement to meet prescribed CPD requirements on an ongoing basis. One CPD unit equates to one hour of professional development.

The criteria applicable to CAP members are listed in **Table 1** below:

PLANNING LEVEL 2	
10 CPD units in each 12 month period of which 4 CPD units must be completed from the following professional competencies:	
<ul style="list-style-type: none"> • 1 unit in performance based planning • 1 unit in decision making in development assessment • 1 unit in governance • 1 unit in ethics in planning. 	

Table 1

These criteria are further explained in **Table 2** below:

CATEGORY	TYPE OF CPD	
A	Conferences, Seminars, Lectures, Workshops & Study Tours Organised learning activities which enhance professional knowledge and skills, but do not include academic assessment. May be provided by PIA, AIBS or any other organisation and can be about planning or other work-related topics	1 unit per hour Capped at a maximum of 8 Units each calendar year
B	Self-guided Learning Individual or group activities to expand understanding of professional issues and processes or enhance work related non-professional skills. Includes 'structured' reading, self-taught courses and scheduled discussion sessions. Include viewing or listening to material presented as part of a multi-media, web-based or recorded program.	1 unit per hour Capped at a maximum of 8 Units each calendar year
C	Professional & Community Service Active involvement in committees and projects to develop and promote the planning profession. Includes involvement in editorial and peer	1 unit per hour Capped at a maximum of 8 Units each calendar year

	review activities, mentoring programs and input to overseas aid programs.	
D	Formal Education & Training Classes and courses, face-to-face or by distance, where formal, guided learning (lectures, reading or discussion) is followed by academic assessment. May be provided by a recognised educational institution, or by a specialist or professional association.	2 units per hour No capping
E	Presentations, Papers, Publications & Instruction Preparation of material for publication and/or presentation (including professional conferences and seminars) to assist other planners' learning. Includes preparation and presentation of any multi-media, web-based or recorded program. Also includes guest lectures in university planning classes.	2 units per hour No capping
Work Placements	The Accreditation Authority distinguishes between CPD and practice, and it is expected that most CPD activity is not work tasks. Work placements and tasks which can be demonstrated to be directly related to continuing professional development and are not part of the Accredited Professionals normal role should be considered as Category A unless there is evidence of documented assessment when they can be regarded as Category D.	Capped at a maximum of 8 units per calendar year

Table 2

All CAP members who are Accredited Professionals will be required to maintain their CPD points on an annual basis.

Section 83 of the Act sets out the provisions for eligibility of Assessment Panel members, as follows:

83—Panels established by joint planning boards or councils

(1) *The following provisions will apply in relation to an assessment panel appointed by a joint planning board or a council (a **designated authority**) under Division 1:*

(c) a person appointed as a member of an assessment panel must be an accredited professional;

(2) *Subsection (1)(c) does not apply if—*

(a) the person is a member, or former member, of a council; and

(b) the designated authority is satisfied that the person is appropriately qualified to act as a member of the assessment panel on account of the person's experience in local government.

Appointment of the CAP

There are some doubts as to when Phase 3 of the Code will go live and with it the requirement to have an accredited membership. The current investigation indicates that implementation will be late in 2020. It is possible, with further delays due to unforeseen circumstances, that this date could be even later in 2021, as has been the case with the Local Heritage Transition DPA, which is now required to be lodged by 1 July 2021, instead of December 2020.

In view of this, as the CAP is functioning well and efficiently, it is proposed that the current Independent Members' terms be extended for a further two years, dependent upon their attainment of accreditation. It is considered that this process will provide a degree of consistence through a period of significant change.

An exception to this is the sitting Presiding Member, as Section 83 Subsection (2) prescribes that a former member of a council does not have to be accredited. In this case, these criteria apply to the current Presiding Member of the CAP, being a former member of council. He has indicated that he will not be seeking accreditation as he complies with Section 83(2).

Council could consider that accreditation be required for membership of the Town of Gawler CAP and communicate this to the Presiding Member so that he can make a decision whether or not to proceed with accreditation.

However, this is not considered necessary as the Presiding Member complies with the membership criteria in the legislation. He has had a long and distinguished career in both the planning and local government sectors and, for the stability and well-being of the CAP during the transition to the new planning system, it is suggested that his continued membership of the panel is prudent. It should also be noted that Ms Fleur Bowden and Mr Ross Bateup have indicated that they are currently in the process of seeking accreditation, and willing to continue for a further 2 year period.

A good reason for the retention of the existing CAP is the impending changes to the planning system. Well briefed by staff, the CAP will be further informed in the coming months prior to the Phase 3 implementation. The members will be well prepared for the expected changes, which include appeals for CAPs. This will result in a smooth transition to the new system in what could be a stressful time with a new panel.

There is one Independent Member position available on the CAP and it is recommended that this position, and the position of Deputy Member, be advertised for expressions of interest.

COMMUNICATION (INTERNAL TO COUNCIL)

Manager Development, Environment and Regulatory Services

CONSULTATION (EXTERNAL TO COUNCIL)

Nil

POLICY IMPLICATIONS

The CAP Terms of Reference may require amendment with the full implementation of the Act.

RISK EVALUATION

Risk	
Identify	Mitigation
Failure to ensure the CAP Independent Members are accredited under the Accredited Professionals Scheme, or have appropriate local government experience, could result in poor decision making, resulting in litigation costs and loss of amenity and character in Gawler.	Ensure that CAP Independent Members have the appropriate accreditation or experience in order that their decision making is of high quality.
Opportunity	
Identify	Maximising the Opportunity
The Town of Gawler requires a stable and high quality CAP to provide a solid foundation for the transition to the Planning and Design Code.	Retention of the current CAP would assist in providing stability to the planning process in the transition to the Planning and Design Code.

STATUTORY REQUIREMENTS

The appointment of the CAP is required by the *Planning Development and Infrastructure Act 2016*.




FINANCIAL/BUDGET IMPLICATIONS

Independent members of the CAP receive remuneration for attendance at meetings. These costs have been accounted for in Council's 2020/21 draft Budget for the amount of \$18,200.

COMMUNITY PLAN

Objective 5.2: Be recognised as a 'best practice' Local Government organisation

11.8 TOWN OF GAWLER - COVID-19 UPDATE**Record Number:** CC20/57;IC20/473**Author(s):** Jack Darzanos, Team Leader Environmental Services**Previous Motions:** RESOLUTION 2020:03:COU105; RESOLUTION 2020:04:COU001; RESOLUTION 2020:06:COU171; RESOLUTION 2020:06:COU207**Attachments:**

1. **Extension of Major Emergency Declaration CR20/49448** 
2. **Emergency Management Public Activities No.4 -COVID-19 Direction CR20/49451** 
3. **FAQ - Emergency Management Public Activities No.4 - COVID-19 Direction CR20/49454** 

OFFICER'S RECOMMENDATION**That Council notes:-**

1. The Town of Gawler COVID-19 Update report.
2. The ongoing actions taken by the Administration, which has focused on both ensuring the health and safety of the community, staff and Council Members while also ensuring continuity of services to the community.
3. The administration will continue to liaise with the Local Government Functional Support Group and SA Health in preparation of a second wave of COVID-19.

SUMMARY

The Executive Management Team, Mayor Redman and the Administration are continuing to monitor the COVID-19 pandemic, reviewing Council's COVID-19 Risk Assessment, Public Health and Business Continuity responses and implementing any directives from the Australian and/or State Government as they are released.

Council's priority is to protect the health, safety and wellbeing of the community, staff and Council Members alike whilst ensuring continuity of service delivery to the community.

BACKGROUND

Commencing 27 June 2020, the Governor approved a further extension to the emergency declaration for a period of 28 days under section 23 (2) of the *Emergency Services Act 2004*.

The South Australian Directions apply to everyone living in, and entering, South Australia.

<https://www.covid-19.sa.gov.au/emergency-declarations>

On 24 March 2020 Council endorsed the following resolution regarding the COVID-19 report.

RESOLUTION 2020:03:COU105

Moved: Cr D Hughes

Seconded: Cr K Goldstone

That Council:

1. *Note the COVID-19 update report.*
2. *Note the COVID-19 actions that have been taken to date in respect to decisions made by the CEO, in consultation with Mayor Redman, to continue service provisions as and where possible, cancellation of Council programs as deemed necessary and closures of Council facilities as per the details in this report.*
3. *Notes that the CEO, in consultation with Mayor Redman, will continue to make decisions under delegation to ensure the timely response of Council's actions needed to protect the community, Council Members and Staff.*

4. *Note the initial considerations underway relative to the Council and community based support services that may be needed to be provided to elderly residents who may over the coming weeks be required to self-isolate should such a direction be issued by the Federal Government.*
5. *Notes the current and immerging powers offered to Council's Environmental Health Officer as consequence of the declaration of the State of Emergency.*
6. *Notes that Council's administration having first sought to prepare the organisation relative to the consequences of the virus, are proceeding as a matter to priority to further consider the financial consequences on residents, businesses and community groups alike relative to the need to ensure that Council maintains its financial sustainability given that Council provides essential government services. The outcomes of possible strategies and mitigating actions to be taken to assist the community to address the financial consequences of the virus will be the subject of a future report to Council in the coming weeks.*
7. *Note that further update reports will be presented to future Council meetings during the duration of the COVID -19 crisis to ensure that Council Members and the community are kept informed of the consequences, strategies and actions taken to best manage the crisis relative to Council operations and community service delivery outcomes*

On 28 April 2020, Council endorsed the following resolution regarding the COVID-19 report.

RESOLUTION 2020:04:COU001

Moved: Cr D Hughes

Seconded: Cr J Vallelonga

That Council:

1. *Notes the COVID-19 update report.*
2. *Notes the actions taken by the Administration, which has focused on both ensuring the health and safety of the community, staff and Council Members while also ensuring continuity of services to the community as and where possible.*
3. *Notes that the financial consequences of COVID-19 on Council's operations, in addition to the financial impact of the financial relief package adopted at the 7 April 2020 Special Council meeting, will be incorporated in budget update reports to be presented to Council in May 2020.*

On 3 June 2020, Council endorsed the following resolution regarding the COVID-19 report.

RESOLUTION 2020:06:COU171

Moved: Cr D Hughes

Seconded: Cr P Little

That Council notes:-

1. *The Town of Gawler COVID-19 Update report.*
2. *The actions taken by the Administration, which has focused on both ensuring the health and safety of the community, staff and Council Members while also ensuring continuity of services to the community as and where possible. The following key actions have been taken more recently by the administration in assisting the community transition:*
 - *Libraries (Civic Centre and Evanston Gardens) open.*
 - *Elderly Centre open.*
 - *Community and Recreation Centre (excluding recreation areas) open.*
 - *Visitor Information Centre open.*
 - *Visitor information Centre public toilets with showers opened and cleaned for community use.*
 - *Monitoring of shops able to trade with limits of 10 people.*
 - *Assistance to sporting and community groups seeking to recommence using council*

- reserves for active sport. Communications to all such groups has been forwarded.*
 - *Assistance taken by Council Staff to assist local business during the current crisis:*
 - a) *Proactive assistance in establishing outdoor dining areas*
 - b) *Providing education and assistance with how businesses are to implement physical distancing and practice good hygiene*
 - c) *On-boarding businesses to the Gawler Connected Community App providing them with an online shop*
- 3. *That the financial consequences of COVID-19 on Council's operations, in addition to the financial impact of the proposed Financial Relief / Economic Stimulus package endorsed at the 14 May 2020 Special Council meeting, will be incorporated in budget update reports to be presented to Council over the coming weeks and months.*

On 32 June 2020, Council endorsed the following resolution regarding the COVID-19 report.

RESOLUTION 2020:06:COU001

Moved: Cr N Shanks

Seconded: Cr D Hughes

That Council notes:

1. *The Town of Gawler COVID-19 Update report.*
2. *The actions taken by the Administration, which has focused on both ensuring the health and safety of the community, staff and Council Members while also ensuring continuity of services to the community.*
3. *The substantial financial measures, represented by proposed targeted Rates remissions in the 2020/21 financial year (\$530k), the waiving of various rent/lease fees (\$100k), and the proposed Economic Stimulus Projects of \$2m, that have been developed to financially assist our community in response to the COVID-19 pandemic.*

COMMENTS/DISCUSSION

Summary of COVID 19 in South Australia as of 5:00pm Wednesday 22 June 2020.

South Australia has recorded 2 new cases of COVID-19 as of 5:00pm, 22 July 2020 with cases now at 446. The two (2) new active cases in South Australia were both from interstate and overseas.

Only one of the two new cases is considered active.

SA Health have advised that the cases occurred in a very confined way within quarantine or isolation. Both cases are women, one in her 50s who recently returned from Melbourne and tested negative twice in quarantine. The other is a woman in her 30s who returned to SA aboard a repatriation flight on June 27 and had a family member who was positive.

To date, SA Pathology has undertaken more than 192,000 tests for COVID-19.

As of 21 July 2020 the South Australia COVID-19 Update stands at:

New Cases	2
Total cases in South Australia	446
Patients recovered in South Australia	440 (99%)
Hospital patients	0
ICU patients	0
Total deaths	4
Total Tests yesterday	2,631
SA Pathology COVID-19 laboratory tests since February.	192,436

Step 3 changes for the easing of COVID-19 restrictions came into effect on Monday 29 June 2020.

A key change in Step 3 is that libraries are no longer a defined public activity and do not need to keep contact tracing records.

From 29 June 2020**Summary of changes include:**

- a. Change to the density requirement to 1 person per 2 square metres.
- b. COVID Safe Plans are still required for defined public activities.
- c. COVID Management Plans are required for defined public activities where there are more than 1000 people participating or when both alcohol consumption and dancing is facilitated.
- d. Libraries are no longer a defined public activity and do not need to complete a COVID Safe Plan or make and retain contact tracing records.
- e. Council meetings remain exempt however the public gallery is still defined as a public activity.

COVID Management Plans

SA Health have advised that they are in the process of developing the COVID Management Plans and expect these will be available shortly.

Council may incorporate this step into our event application process to increase awareness in the community of this requirement. For example, where Council approval is sought for an event that also requires a COVID management plan, the need to obtain approval from SA Health through the COVID management plan process could be added as a step in the usual event approval process.

Physical Distancing

Council staff are to observe, and encourage patrons to adhere to, physical distancing principles; requiring everyone to try to maintain at least 1.5 metres physical distance between one another at all times (noting that these principles do not apply to persons who live in the same household, or who are friends, family members or regularly associate with each other). This rule should be followed while queuing, entering/departing venues, and so forth. Chairs, lounges and cushions should be positioned to facilitate physical distancing.

Physical distancing means avoiding close contact and crowded places wherever possible.

Physical distancing in public means people should:

- a. Maintain a minimum physical distance of 1.5 metres, and when you're in an enclosed space have no more than one person per 2-square metres.
- b. stay at home and only go out if it is absolutely essential.
- c. avoid physical greetings such as handshaking, hugs and kisses.
- d. pay using tap-and-go instead of cash.
- e. travel at quiet times and avoid crowds.
- f. avoid public gatherings and at-risk groups like older people.

Further restrictions lifted in South Australia from Monday 29 June include.**Contact tracing records**

Entertainment venues (e.g. cinemas, theatres) are no longer required to keep a contact tracing record.

Recreational transport

Recreational transport (e.g. tour buses) are now a defined public activity and will need a COVID Safe Plan. The density limit does not apply to this activity.

COVID Safe Plan and COVID Management Plan

Most businesses/activities allowed to re-open/re-commence under Step 3 from Monday 29 June do not require a COVID Management Plan. Instead, they require a COVID Safe Plan (as per Step 2 and Step 2 Plus). The exception is large events of more than 1,000 persons, and events with both dancing and consumption of alcohol. www.covid-19.sa.gov.au/recovery

**STEP 3
FROM 29 JUNE**

2 square metres per person
for all defined
public activities

No maximum
on businesses or
private gatherings

Protect yourself and those around you

Keep your distance

**Get tested if you have
symptoms and stay home**

**Wash hand often, wipe surfaces,
cover coughs/sneezes**

**Download the
COVIDSafe app**

**SA.GOV.AU or
1800 253 787**

**KEEPING SA
SAFE & STRONG**

Government of
South Australia

South Australia COVID-19 Update 9 July 2020

Travel restrictions are currently being reviewed by the State Government.

Travel within South Australia is largely unrestricted. People are free to visit most regional areas, and travel within South Australia is a great way to support our regional communities and economies.

Entering SA from Interstate

Before you travel

A pre-approval process is now in place for travellers wishing to enter South Australia. The Cross Border Travel Registration should speed up the border crossing process and provide certainty for people who want to enter SA.

Registration

If you are planning travel to South Australia, aim to complete the Cross Border Travel Registration at least three days before you leave, regardless of where your travel begins.

All travellers intending to enter SA should register for pre-approval. This includes:

- people entering from unrestricted states (NT, QLD, TAS and WA)

- people entering from permissible states (ACT and NSW), including those applying for essential traveller status
- essential travellers or returning residents entering from Victoria
- SA residents returning home from any other state, regardless of how long they were interstate.

Border restrictions**Victoria**

Victorian residents, other than Essential Travellers, are not permitted to travel to South Australia. Checkpoints or road blocks will be set up at all border crossings between South Australia and Victoria.

Cross-border communities

Essential travellers living in cross border communities can still enter South Australia, however they cannot travel further than 50 kilometres over the border into South Australia.

All other states

Travellers from NT, QLD, TAS and WA are able to enter South Australia directly without restriction.

Travellers from ACT and NSW, other than essential travellers, will be required to:

- self-quarantine for 14 days after entering SA
- submit for COVID-19 testing on:
 - the first day of entry to SA (the day of arrival)
 - the twelfth day of arrival.

The public are being asked to:

- Get tested if you have any symptoms, even if mild, or if you have been in contact with someone with symptoms.
- You can also get tested even if you don't have any symptoms
- Visit a testing location, find a location at the following link: <https://bit.ly/2ZPth5A>
- You must self-quarantine for 14 days.
- If you live with other people, you must stay in your own dedicated room and avoid contact with others (unless they are also quarantining with you, or you need to care for them, or they care for you).
 - Otherwise, you may need to make arrangements for yourself, or other household members, to stay somewhere else to ensure you can quarantine safely.
- You must stay in self-quarantine for the full 14 days, even if you test negative.

These measures are essential to protect our community and reduce the risk of spreading COVID-19.



Environment Health Officers (EHO)

With the further easing of restrictions and the release of the Emergency Management (Public Activities No 4) (COVID-19) Direction 2020 on 9 July 2020, Council EHOs have been directed to take an educative role with SAPOL being the enforcement agency of the existing restrictions. All businesses who are classed as a defined public activity must have a COVID-Safe Plan. Compliance inspections and observations have been undertaken over the past 2 weeks during routine inspections, education and responding to resident complaints regarding non-compliance have also occurred.

The main areas of concern have involved lack of physical distancing, not cleaning tables/areas between customers and lack of sanitiser being available for customer use. EHO's have found that the majority of businesses visited were advised that they required a COVID-Safe plan, and officers have been able to provide links to the website to develop a plan and associated educative materials.

13 Covid-19 inspections (resulting from complaints/queries from residents) have been undertaken.

With step 3 being implemented on Monday 29 June, a simplified principle-based approach is being introduced for business – this does not apply for some high-risk activities. Physical distancing requirements have been reduced to one person per two square metres. Those businesses with an existing COVID-Safe plan do not need to complete a new one as the version will be updated automatically. It is a requirement for a business to have a copy of the plan onsite and made available to EHO's upon request. EHO's have been and will continue to request this information when conducting routine inspections as well as responding to complaints when they occur.

Gawler Civic Centre and Evanston Gardens Libraries

With the introduction of Step 3 on 29 June 2020, the Library has implementing the following changes:

Civic Centre

- a. Normal hours of operation
- b. Entry and exit via High Street and Murray Street
- c. Attendance records are kept
- d. A maximum of 152 library users in the library (including Ante Room and Reading Room) at any given time
- e. An additional 79 library users can be in the library breakout/café area (where half of the public PCs and the public printing/photocopying is located)
- f. JP service provided, in ground floor meeting room
- g. Public PCs now available for use (half of the PCs are available, to maintain proper physical distancing)
- h. Hand sanitiser and wipes available for users

- i. Physical distancing – maintaining 1.5 metres between people at all times

Evanston Gardens Library

- a. Normal hours of operation
- b. Attendance records are kept
- c. A maximum of 147 library users in the library at any given time
- d. Public PCs now available for use (half of the PCs are available, to maintain proper physical distancing)
- e. Hand sanitiser and wipes available for users
- f. Physical distancing – maintaining 1.5 metres between people at all times
- g. Home Visiting Service has experienced an increase in customers

Local Government Functional Support Group (LGFSG) - Update

The LGFSG has scaled back operations with plans in place to scale up operations if there is a second wave.

The State's Roadmap for Easing COVID-19 Restrictions, will continue to be adjusted as the threat level continues to evolve, however as a general rule, defined public activities must comply with the principles which include:

- Limit the number of people on site to adhere to the density requirement (density requirements will be detailed within the activities **COVID-Safe Plan**);
- Make best endeavours to apply physical distancing (1.5 metre from other people) wherever practicable, and;
- Encouraging good personal hygiene by all participants.

Councils EHO's and staff observe and encourage patrons to adhere to, physical distancing principles; requiring everyone to try to maintain at least 1.5 metres physical distance between one another at all times (noting that these principles do not apply to persons who live in the same household, or who are friends, family members or regularly associate with each other). This rule should be followed while queuing, entering/departing venues, and so forth.

Chairs, lounges and cushions should be positioned to facilitate physical distancing. Council must implement any obligations detailed within our COVID-Safe Plan – including the general principles and any specific requirements.

COVID Management Plan

High-risk public activities that require a COVID Management Plan include:

- gatherings and activities of more than 1,000 people
- licenced premises under the Liquor Licencing Act 1997 where both dancing and the consumption of liquor occurs
- the operation of a nightclub, where the principle purpose of the premise is for the consumption of liquor, the playing of loud, amplified music and dancing.

COVID Management Plans must be approved by SA Health before any of the above activities can be undertaken. In some cases, events / business/activity may require both a COVID Management Plan and a COVID-Safe Plan for each vendor.

Staff Co-location

Due to low infection rates in the State, the Executive Team recently met to again review all current working arrangements, whereby teams are currently separated across different locations to ensure the risk to both staff health and business continuity can be effectively managed in the case of an outbreak.

The Executive following discussions with councils COVID-19 officer has decided, based on advice provided through the Local Government Functional Support Group and SA Health, to continue with all current working arrangements in place. While it is considered that the very low infection rate in the State has reduced the risk from a business continuity perspective, the current work station design

and configuration at Gawler Administration Centre from a staff health perspective cannot meet the 1.5m separation rule if all staff were to return to their work stations. Given this rule is still considered best practise in minimising the spread of infection the staff previously displaced from the Gawler Administration Centre are not yet able to return to the GAC at this point.

The 1.5m separation rule is currently being reviewed by SA Health and the LGFSG. However, as mentioned and from a business continuity perspective, the decision has been made to ease restrictions on staff attending face-to-face meetings. Particularly where there is a clear operational benefit for such meetings and all other social distancing restrictions imposed by the State Government are maintained. Likewise, the ability for staff to attend the Gawler Administration Centre to use facilities located at this site are now back to normal.

Council and Committee meetings

A COVID Safe Plan has been completed for the public gallery in the council and committee chambers. It is important to note that density requirements only apply to the public gallery. While the density requirements do not apply to areas occupied by elected members and staff, the number of staff in attendance should still be minimised where possible.

Records of attendance for members of the gallery are to be kept. The current Direction does not preclude council from continuing to hold wholly electronic meetings, nor does it preclude individual Council members from participating in council meetings by electronic means (even though the meeting is held in a physical location), in accordance with the Electronic Participation in Council Meetings Notice No 1.

COVID preparation and response to second wave.

Due to the dynamic and evolving nature of the COVID-19 pandemic, information and restrictions are subject to regular change. State Coordinator declarations and Public Health advice may change at short notice which may render some of the current restrictions and information outdated. The administration is endeavouring to provide updates as soon as they become available.

Critical messages

As mentioned earlier in the report the LGFSG has significantly scaled back its operations with only two staff now providing Local Government support. The LGFSG has developed a COVID Enquiry Decision Tree to provide councils with alternative options for COVID enquiries. There are plans in place to scale up operations if there is a second wave. (This consists of support officers on standby monitoring developments of COVID-19 that will be seconded to the working group if and when needed.

Step 3 - From 29 June – EHO's monitoring program

Step 3 will be a simplified principle-based approach, except for some high-risk activities.

While physical distancing of 1.5 m is still strongly encouraged, density requirements within venues will be reduced to one person per two square metres.

All businesses, activities and gatherings allowed under Step 3 are listed in the [Public activities direction](#).

- Businesses and defined public activities with an existing COVID-Safe Plan do not need to complete a new plan and will be emailed an updated version of their existing plan before 29 June.
- If businesses have an existing COVID-Safe Plan but are now opening up more space or areas to the public, or are re-starting newly allowed activities as part of their business (like re-opening your gaming room or spa/sauna facilities), they must create a new Plan.
- Businesses and defined public activities that do not have a COVID-Safe Plan must complete a plan before they can commence operating - [create a COVID-Safe Plan](#).

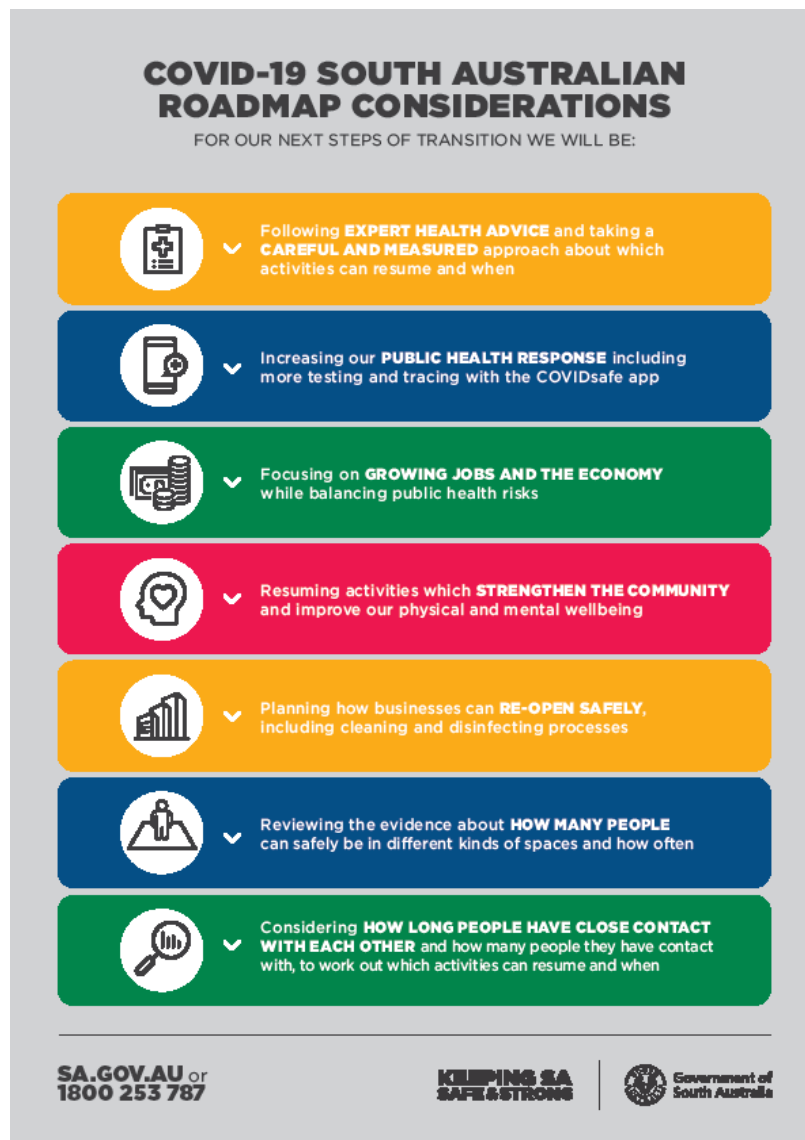
[Frequently asked questions - Step 3 \(PDF, 390.0 KB\)](#)

Emergency Management Directions

Two Emergency Management Directions – Public Activities and Cross Border Travel – have been updated and can be found at the following links:

<https://www.covid-19.sa.gov.au/emergency-declarations/emergency-declaration>

<https://www.covid-19.sa.gov.au/emergency-declarations/cross-border-travel>



COMMUNICATION (INTERNAL TO COUNCIL)

Communication with staff and Council Members has been seen as a critical part of ensuring adequate information is provided to all concerned during the crisis.

Fortnightly information sheets are distributed to all staff and Council Members as a means to ensure adequate details are provided to all.

CONSULTATION (EXTERNAL TO COUNCIL)

Information sharing with the community is also critical to ensuring the community is aware of what and where Council is taking action. Regular updates are being provided on Council's Facebook site, with a dedicated page created on Council's web site.

Local Government Association of SA

POLICY IMPLICATIONS

Various policies are affected as a result of the Covid-19 pandemic e.g.
Procurement Policy

RISK EVALUATION

Risk	
Identify	Mitigation
Council unable to deliver critical services	Business continuity plan (BCP) is being updated constantly in line with advice from Federal Government and Department of Health.
Council not putting controls in place to prevent the spread of COVID-19 as far as reasonably practicable.	Council has stopped high risk programs/services and implemented numerous controls to assist in preventing or cross contamination of the virus. Risk Assessment has been developed and is being reviewed and updated continually to reflect advice from State and Federal government.
Opportunity	
Identify	Maximising the Opportunity
Community is up to date with actions Council have put in place relating to COVID-19	The following types of communication are being used to inform the community: <ul style="list-style-type: none"> • Council Website • Facebook • Local Newspaper • Council e-newsletter currently under development.

STATUTORY REQUIREMENTS

Work Health and Safety Act 2012

SA Public Health Act 2011

Food Act 2001

Emergency Management Act 2004

Local Government Act 1999

FINANCIAL/BUDGET IMPLICATIONS

Council's immediate initial financial response to the COVID-19 pandemic (at the 7 April 2020 Special Council meeting) was to provide ratepayers adversely financially affected by the pandemic with the option to defer their Rates payments for a period of 6 months.

This arrangement was also extended to sporting clubs and community groups relative to their lease/licence payments and to the Gawler Caravan Park and Gawler Fasta Pasta relative to their rent payments. At this meeting, Council also resolved to not apply any Rates non-payment fines/interest for a period of 6 months.

At the 14 May 2020 Special Council meeting, the Council further resolved to waive (rather than defer) various rent/lease fees payable from tenants, sporting clubs and community groups for periods ranging from 3-6 months.

Two key initiatives within the draft 2020/21 Budget, which has recently been endorsed for the purposes of public consultation, is the establishment of a \$530,000 provision for 'one-off' targeted General Rate remissions, to be provided upon application and subject to certain eligibility criteria being met, to provide genuine financial relief to those ratepayers (both commercial and residential) who have been adversely financially affected by the COVID-19 pandemic.

In addition, the Council is also proposing within the draft 2020/21 Budget the establishment of a \$2m Economic Stimulus package, ideally tailored towards projects and initiatives that will deliver local employment / local supplier utilisation outcomes.

The \$530,000 proposed 'one-off' General Rate remissions are earmarked to be essentially funded from the 2.4% increase in General Rate revenue from existing ratepayers – such that the net General Rate revenue increase from existing ratepayers would be 0%.

Conversely, the proposed \$2m Economic Stimulus package is earmarked to be funded from an increase in Council's debt, which is estimated will increase Council's Net Financial Liabilities Ratio to 94% (as at 30 June 2020), which is marginally below Council's policy threshold position of 100%.

COMMUNITY PLAN

Objective 3.1: Health and social wellbeing services in Gawler to meet growing regional community needs

Objective 5.4: Create a safe community environment




11.9 SMALL BUSINESS FRIENDLY COUNCIL ANNUAL REPORT

Record Number: CC20/57;IC20/479

Author(s): Kirsty Dudley, Special Projects Officer

Previous Motions: Nil

Attachments:

1. **Small Business Friendly Council Report - 1 June 2019 - 31 May 2020 CR20/45102** 
2. **Small Business Friendly Council Initiative Brochure CR17/51744** 
3. **Signed Charter Agreement for Small Business Friendly Council Initiative CR18/11210** 

OFFICER'S RECOMMENDATION

That Council notes the Town of Gawler's Small Business Friendly Council Initiative Annual Report for 1 June 2019 to 31 May 2020.

SUMMARY

This report provides Council with a copy of Town of Gawler's Small Business Friendly Council Initiative Annual Report for the reporting period of 1 June 2019 to 31 May 2020 (**Attachment 1**) for Council's information.

BACKGROUND

Small business owners and operators create local employment, provide essential goods and services and help create attractive, liveable communities. The right mix of small businesses can create a sense of vibrancy and attract people to live, work and visit.

Councils can have a significant influence over how attractive their area is for businesses to set up, and on how established enterprises can grow. They also play a key role in the lifecycle of a small business.

Most of the interactions business owners have with government are at a local level. To help build stronger, more productive relationships between small businesses and Councils, the Office of the Small Business Commissioner (OSBC) developed the Small Business Friendly Council Initiative (SBFCI) – (**Attachment 2**).

Town of Gawler became a signatory to the SBFCI Charter (**Attachment 3**) on 19 February 2018 to demonstrate its commitment to supporting local business and investing in the local economy. The Charter outlines what Council agrees to do as a minimum, to support small business in the local government area.

This report provides Council with a copy of Town of Gawler's SBFCI Annual Report for the period from 1 June 2019 to 31 May 2020 (**Attachment 1**). This Annual Report outlines Council's key activities related to the SBFCI for the reporting period.

COMMENTS/DISCUSSION

Town of Gawler is one of thirty three Councils that are signatories to the SBFCI in South Australia. In response to some of the most common issues small business owners face in dealing with their Council, the SBFCI involves engaging in required initiatives that include:

- a) implementing activities to improve the operating environment for small business within its area
- b) implementing a procurement policy which recognises that local small business is a significant contributor to economic development and should be provided with fair opportunity to service

council wherever possible

- c) adopting a policy to pay invoices from small business suppliers within 30 days
- d) introducing and promoting a timely and cost effective process to manage any disputes arising between your organisation and small business clients

In addition to the required initiatives under the Charter, Council must commit to at least three additional initiatives that will deliver positive benefits to local businesses within the Council area. These may include, but are not limited to:

- a) surveying local small businesses to assess their needs
- b) accepting online payments
- c) introducing deemed approvals
- d) simplifying processes and forms
- e) providing more small business information on your website
- f) improving communication and customer service
- g) encouraging 'buy local' shopping campaigns
- h) supporting business incubators or start-up spaces
- i) offering contracts to local small business suppliers
- j) introducing an economic development team
- k) facilitating small business forums and events

When Council became a signatory to the SBFCI Charter it already supported a number of these additional initiatives including supporting the Gawler Business Development Group (as a local business advisory committee), accepting online payments, simplifying processes and forms, providing more small business information on your website, encouraging 'buy local' shopping campaigns, offering contracts to local small business suppliers and facilitating small business forums and events.

Since signing up to the SBFCI Charter Council has also been able to report that it has:

- established a funding agreement with the Gawler Business Development Group thereby funding many activities such as marketing and business forums/networking events;
- become a signatory to the Australian Supplier Code, an initiative of the Australian Business Council;
- undertaken a local business survey; and
- established the Gawler Business Innovation Hub with a GigCity fibre internet connection providing high speed broadband Members of the space.

Council is obligated under the SBFCI Charter to report back to the OSBC on any relevant activities undertaken during a prescribed reporting period. The latest prescribed reporting period was 1 June 2019 to 31 May 2020. Councils' SBFCI Annual Report (**Attachment 1**) outlines some excellent initiatives undertaken by Council during this period:

1. Completed development and launched the Gawler Connected Community App providing local small businesses with a digital platform to both transact their business on and use for promotional purposes;
2. Provided free public WiFi in Murray Street;
3. Continued to support the Gawler Business Innovation Hub;
4. Continued to liaise with Gawler Business Development Group and provide funding through the Special Rate on Commercial and Industrial premises;
5. Continued to liaise with and financially support Regional Development Australia Barossa Gawler Light Adelaide Plains in delivering their business support services and focus on regional economic development;
6. Reviewed and improved procurement practices including implementing ways that Council can actively improve local business participation in appropriate projects and supply chains;

7. Remained a signatory to the Australian Supplier Code which commits Council to timely payment of undisputed invoices for small business;
8. Secured funding and commenced the development of the Gawler Economic Development Strategy;
9. Proposed a COVID-19 Relief/Stimulus Package to support local businesses and the community in response to the economic impacts of the Coronavirus Pandemic within the Draft 2020/21 Annual Budget and worked regionally to support small business to conform with restrictions required by the Federal Government; and
10. Adopted the Gawler Tourism Plan 2019-24 and allocated \$25,000 towards implementing the Plan within the Draft 2020/21 Annual Budget.

Council will continue to deliver further positive outcomes in line with the commitments it has made to the Small Business Friendly Council Initiative. Council will be required to lodge its next report on these activities to the OSBC by 30 June 2021.

COMMUNICATION (INTERNAL TO COUNCIL)

Manager Business Enterprises and Communications
Team Leader Procurement and Business Improvement

CONSULTATION (EXTERNAL TO COUNCIL)

Nil

POLICY IMPLICATIONS

Procurement Policy
Complaints Policy

RISK EVALUATION

Objective 5.2 of the Gawler Community Plan 2017-2027 is to 'Be recognised as a best practice Local Government organisation'. The Small Business Friendly Council Initiative aligns with this Objective with respect to Council's dealings with the Small Business sector.

Risk	
Identify	Mitigation
Council fails to comply with the requirements of the Small Business Friendly Council Initiative	Council's internal processes and procedures are aligned with the key requirements of the Initiative.
Opportunity	
Identify	Maximising the Opportunity
Increase awareness of the work Council undertakes in an effort to support local small business	<p>Reporting to the OSBC and making this report publicly available via Council's Meeting Agenda highlights the beneficial outcomes realised by Council in its pursuit of improved relations with small businesses, provision for significant economic stimulus, support of the small business sector and collaboration with key organisations to deliver tangible change.</p> <p>OSBC may choose to promote some of Council's initiatives in case studies that they use to provide examples to other Government organisations on "how to do business with business".</p>

STATUTORY REQUIREMENTS

Nil

FINANCIAL/BUDGET IMPLICATIONS

Being involved in the Small Business Friendly Council Initiative does not cost Council an annual fee or have any budgetary implications other than Council continuing to focus on supporting economic development and improving its relationship with and in support of local small businesses.

Projects undertaken as initiatives that align with the SBFCI Charter are undertaken at Council's discretion within Council's Annual Budget related to the Division within which the specific project/initiative is being delivered.

COMMUNITY PLAN

Objective 1.4: Foster a vibrant and active, event-filled Council area

Objective 2.1: Physical and social infrastructure to service our growing population and economy

Objective 2.5: Local economic activity to create local job opportunities and generate increased local wealth

Objective 5.1: Support and encourage community teamwork

Objective 5.2: Be recognised as a 'best practice' Local Government organisation

Objective 5.3: Deliver ongoing effective and efficient services, including support for regional collaboration

11.10 GAWLER CARAVAN PARK UPGRADE UPDATE

Record Number: CC20/57;IC20/538

Author(s): Whendee Young, Team Leader Asset Delivery

Previous Motions: Special Council, 02/12/2019, Motion No: 2019:12:COU428; Council, 27/08/2019, Motion No: 2019:08:COU316

Attachments: Nil

OFFICER'S RECOMMENDATION

That Council notes:-

1. The Gawler Caravan Park Upgrade Update Report.
2. The shed upgrades and remediation works proposed for the Gawler Caravan Park as part of the lease extension/renegotiation.
3. The design for the new Caravan Park Entrance way.
4. The Shed Upgrade and Remediation Works to be undertaken in the 2020/21 Financial Year and delegation made to the Chief Executive Officer which will be used to allocate \$136,850 for this work.
5. The additional remediation of the Entranceway to be undertaken in the 2021/2022 Financial Year and delegation made to the Chief Executive Officer which will be used to allocate \$22,150 for the Council's component of this work.
6. And endorses the removal of the unregulated tree adjacent to the Caravan Park entrance.

SUMMARY

This report seeks to inform Council of the works planned for the:

1. Upgrade and remediation of the Caravan Park sheds located behind the administration building to address structural integrity of the structures and improve the functional layout of the laundry and storage facilities, and
2. Construction of a new entrance way into the Caravan Park including the demolition of the existing entrance sign, installation of new sign, and alterations to the entrance kerb and roadway to improve large vehicles access to enter through the main entrance.

Council endorsement is sought to remove a non-regulated tree adjacent to the Caravan Park entrance to enable the construction of the new entrance way.

BACKGROUND

The Gawler Caravan Park (GCP) lease was transferred to GCP (SA) Pty Ltd in 2016, with the Lessees (Mr & Mrs Eberhard) commencing operations on site from October 2016. The lease remained substantially unchanged from the previous lease held by Scalaire Pty Ltd.

GCP (SA) Pty Ltd has recently applied for an extension of the lease term. This was presented to Council on the 27 August 2019 and was approved for public consultation and the opportunity to negotiate a new lease. At that time, the Council resolved as follows;

*RESOLUTION 2019:08:COU316**Moved: Cr B Sambell**Seconded: Cr D Hughes**That Council:-*

- 1. Notes the proposal from the Gawler Caravan Park leaseholders, GCP (SA) Pty Ltd to extend the lease to the maximum term as permitted under the Local Government Act, Section 202 Alienation of Community Land by Lease or Licence.*
- 2. Approve the undertaking of Public Consultation on the lease extension in accordance with the Public Consultation Policy.*
- 3. Notes that a further report will be presented to Council for consideration upon completion of the Public Consultation.*

A further report was presented to Council as part of the 2 December 2019 Special Council Meeting where the Council approved the Chief Executive Officer and relevant staff to commence negotiations as per the Council Resolution below:

*RESOLUTION 2019:12:COU428**Moved: Cr P Koch**Seconded: Cr B Sambell**That Council:-*

- 1. Notes the results of the Public Consultation regarding the potential extension of the Gawler Caravan Park Lease.*
- 2. Notes that the Chief Executive Officer and relevant staff will commence negotiations with GCP (SA) Pty Ltd for a new lease or variation of existing, which will be presented to the Council at a future meeting for consideration.*
- 3. Authorise the Mayor and Chief Executive Officer to execute and apply the Common Seal of Council to the Right of Entry as requested by the Commonwealth Bank for GCP (SA) Pty Ltd.*

A Lease Term Sheet was prepared as a basis for lease negotiations, prepared by the Lessee's Lawyers – Way Harris. Included as part of these terms were the following three (3) initiatives and further considerations extracted from the Lease Term Sheet:

"Initial Works – Storage Areas

- Under the Current Lease, Council is responsible for maintaining, repairing and replacing the structural elements of buildings, including roof trusses, external brickworks, window and door frames, foundation courses and plumbing and drainage (Building Maintenance Obligations).
- There are currently a number of storage sheds on the property which are in disrepair and have inadequate guttering and drainage.
- Council has agreed to undertake the removal and replacement of the storage sheds in accordance with its existing obligations under the Current Lease.
- To enable this to occur, Council will engage architects to meet with the Tenant. The architects will design replacement storage areas to meet the Tenant's requirements and will stage the works to minimise as far as reasonable disruption to the Tenant's operations.

Initial Works – Entrance Gates

- The parties have agreed to redesign the entrance to the Caravan park. To facilitate this, Council will arrange for architects to meet with the Tenant to consider the options for redesigning the entrance to enable:
 - a) Ease of access for recreational vehicles and vehicles towing caravans; and
 - b) More prominent and visible signage.

- The final design will be agreed between the Tenant and Council.
- The costs of redesigning and reconstructing the entrance gate will be borne as follows:
 - a) The Tenant will contribute the initial \$5,000 (inc GST) to the redesign work;
 - b) Council will consider including the remaining costs of the work including any costs of removing the existing entrance and reinstating the cross-over and bitumen as part of its FY 20/21 budget;
 - c) The Tenant will pay the costs of any new signage which it wishes to be installed as part of the new design.

These two initiatives have been developed as separate projects - The Gawler Caravan Park Shed Upgrades & Remediation Works and The Gawler Caravan Park Entranceway Demolition & Upgrade.

Ongoing Council Maintenance Obligations

- Council will use its best endeavours to complete the Initial Works (Storage Areas and Entrance Gate) by 30 September 2020.
- Once the Initial Works are complete, Council will no longer be responsible for its Building Maintenance Obligations. Instead, Council will remain responsible for maintaining, repairing and replacing:
 - a) underground infrastructure (gas, electricity, sewerage and water) including any associated plant and equipment (eg the Council owned sewer pump station located on Council's land adjacent the North Para River); and
 - b) bitumised road surfaces."

The purpose of this report is to advise the Council on the progress of this project and also to seek support for the removal of a Council tree impacted by the proposed entrance widening.

COMMENTS/DISCUSSION

Shed Upgrades & Remediation Works

This design has been prepared in consultation with the Lessees to ensure that the outcome meets the current needs of GCP while also providing additional efficiencies. The new design provides the following outcomes to meet the agreed upon terms:

- Demolition of the existing dilapidated, not fit for purpose sheds, and consolidation into a single roof, multi-shed structure.
- Reinstatement of drive-in verandas to allow for loading of vehicles during wet weather.
- Provision of 3 sheds. One shed to be dust & weather proof for laundry storage. The remaining two sheds are to be unsealed and will be designated as a workshop and vehicle storage respectively.
- Remediation of the existing guttering to mitigate the ingress of water into the ceiling cavity.

Please see below for the finalised site plan for the works:

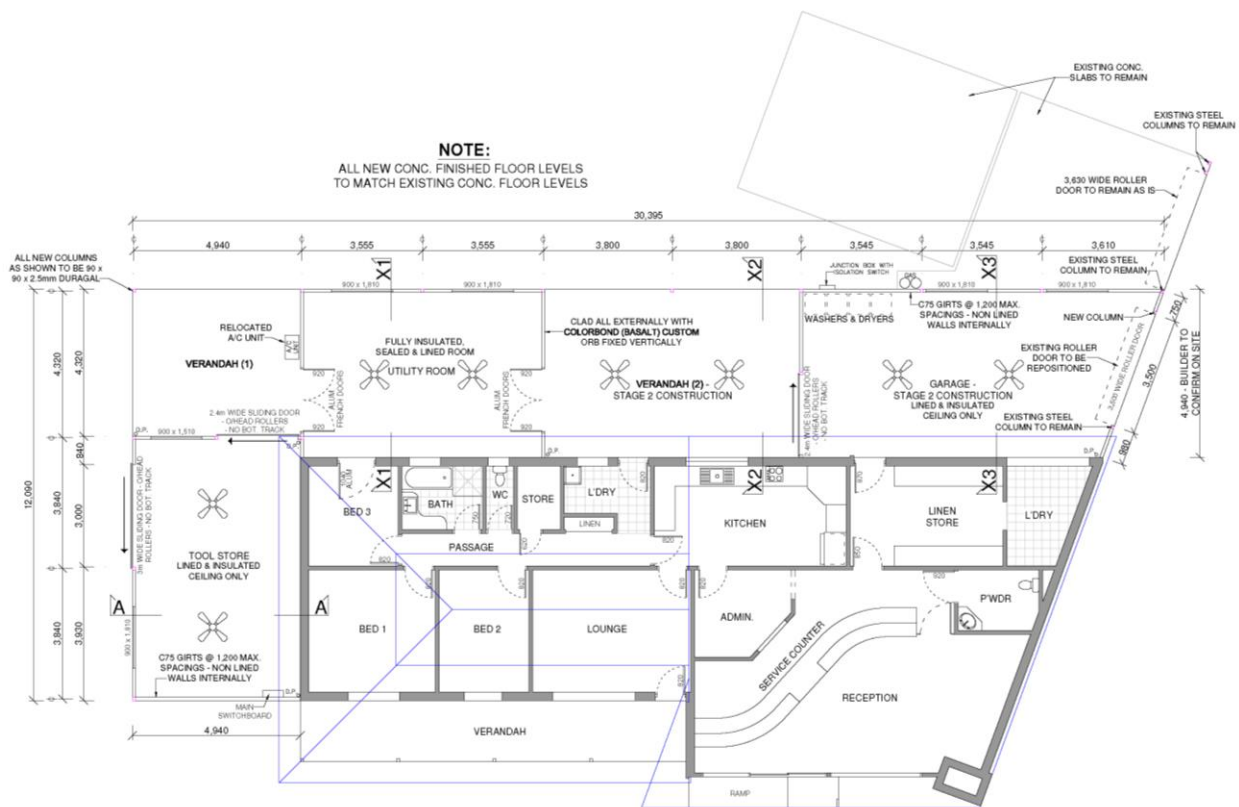


Figure 1.1 – Gawler Caravan Park Site Plan

Entranceway Demolition & Upgrade

The design for the entranceway has been prepared in consultation with the Lessee's and is intended to refresh the aesthetics of the dilapidated entranceway while also facilitating larger vehicles entering. These vehicles have previously only been able to enter from a secondary entrance. The new design provides the following outcomes to meet the agreed terms:

- Demolition of the existing entranceway to facilitate widening of the entranceway and road.
- New site signage and entrance statement.

As part of this process it is noted that the Gawler Caravan Park entranceway asphalt roadways were last renewed in 2004 and are approaching end of service life.

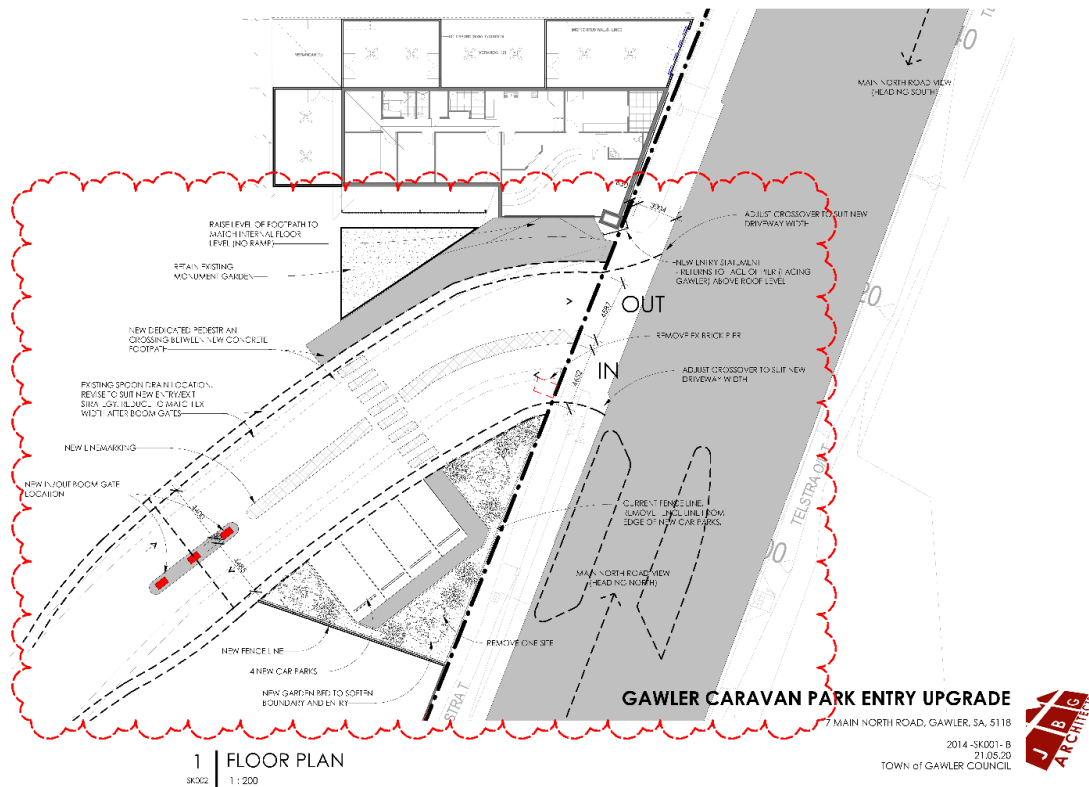
A condition assessment has been completed as part of the design process for the civil components residing within the entranceway area to the Caravan park. It has been identified that the current stormwater infrastructure is due for repair and is no longer fit for purpose. As the works required to widen the entranceway will include renewing a large portion of the stormwater works, outside of the scope of funding for this financial year, it is recommended that this funding be provided for in the 2021/2022 financial year.

It is proposed as part of these works to remove the unregulated tree residing within the entrance, this is recommended in order to achieve the following outcomes:

- Widening of the entranceway to maximum possible width to allow for egress of larger caravans and vehicles;
- Retaining the limited parking space currently available within the entranceway for visitor parking; and
- Conversion of the remaining unusable asphaltic area to a garden bed to soften the impact of the entranceway while allowing for the previously mentioned maximum widening of the entranceway.

Discussions have been held with the GCP Lessee's and the design drawing will include the provision of three mid height trees strategically located in the garden bed to offset the loss of the single tree.

These proposals have been summarised in the site plan below:



Gawler Caravan Park - New Lease

Council Property Staff and Council's Lawyers are in the process of finalising the new Lease Agreement with the Lessees, GCP (SA) Pty Ltd and their Lawyers.

There are several matters still to be agreed upon between both parties.

Subject to final agreement, it is proposed to present the final draft to the 25 August 2020 Council Meeting for consideration, together with an associated Community Land Management Plan for public consultation.

COMMUNICATION (INTERNAL TO COUNCIL)

Asset Delivery Officers
Property & Procurement Officers
Town Services Officers
Heritage Advisor
Planning & Development Officers
Asset Planning Officers
Horticultural Co-ordinator

CONSULTATION (EXTERNAL TO COUNCIL)

Gawler Caravan Park Lessee's – Mr & Mrs Eberhard. The GCP Lessee's will be notified of the outcomes of this Council Report.

Shed Upgrades & Remediation Works

Flood Assessment Engineers – Water Technologies Pty Ltd.
Design Consultants & Building Consent – Bishop Building and Coast & Country Building Design

Entranceway Demolition & Upgrade

Design Consultants – JBG Architects
Traffic Engineering & Assessment - Wallbridge Gilbert Aztec

POLICY IMPLICATIONS

Nil

RISK EVALUATION

Risk	
Identify	Mitigation
Insignificant tree removal not endorsed by Council resulting in a need to redesign elements of the entrance way causing delays to the project delivery and undesirable outcome for Lessee.	Clear articulation of need for tree removal and the reinstatement of three new trees in the revamped landscaped entry. Ongoing engagement with Gawler Caravan Park stakeholders to maintain good understanding of project delivery approvals and processes.
Any delays to the delivery or changes to already agreed scope may impede current lease negotiations with the current Gawler Caravan Park Owners.	Clear understanding of Council's requirements as summarised in the Terms document and in the past lease. Ongoing engagement with Gawler Caravan Park stakeholders to maintain good understanding of project delivery approvals and processes.

STATUTORY REQUIREMENTS*Local Government Act 1999**Retail and Commercial Leases Act 1995***FINANCIAL/BUDGET IMPLICATIONS**Shed Upgrades & Remediation Works

The following table summarises the costs associated with the Gawler Caravan Park shed upgrade and remediation works.

COST ESTIMATE	COST (EX. GST)
SALARY	
DESIGN COSTS	
CONSTRUCTION	
Preliminaries	
Construction	
CONTINGENCY	
Detailed Design Contingency	
Construction Contingency	
TOTAL COST (EX. GST):	\$134,850
TOTAL APPROVED 19-20 BUDGET (EX. GST):	\$44,000
TOTAL APPROVED 19-20 WAGES (EX. GST):	\$-.-
ESTIMATED REQUIRED 20-21 BUDGET (EX. GST):	\$82,750
ESTIMATED REQUIRED 20-21 SALARY (EX. GST):	\$8,100

The additional \$92,000 required to meet the 20/21 Budget and Salary (internal Project Management costs) has been identified and included in the draft 2020/21 budget which is currently the subject of public consultation (refer Economic Stimulus funding project list). Approval for the budget increase to be released in advance of the Council endorsing the 2020/21 Annual Budget will be sought through the Chief Executive Officer as per the 23 June 2020 meeting below:

RESOLUTION 2020:06:COU204*Moved: Cr D Fraser**Seconded: Cr D Hughes**That:-*

1. Council notes that the 2020/21 Budget and Annual Business Plan of Council is not proposed to be adopted until late August 2020.
2. Pending the adoption of the 2020/21 Budget, Council approves the expenditure of Council funds on the works, services and operations of the Council identified in Attachment 1.
3. The Chief Executive Officer is authorised to expend the Council's funds approved in paragraph 2 of this resolution in accordance with the terms of this approval.
4. The Chief Executive Officer may authorise such other employees of Council to expend funds approved in paragraph 2 of this resolution in accordance with the terms of this approval.

Entranceway Demolition & Upgrade

COST ESTIMATE	COST (EX. GST)	
	Gawler Caravan Park	Town of Gawler
SALARY		
DESIGN COSTS (JBG / Wallbridge & Gilbert)		
CONSTRUCTION + CONTINGENCY		
Demolition		
Concrete		
Pavement Preparation, Asphalt & Line-marking		
Garden Bed		
TOTAL COST (EX. GST):	\$18,000	\$86,450
TOTAL 20-21 COST (EX. GST):		\$22,150
TOTAL APPROVED 20-21 WAGES (EX. GST):		\$-.-
ESTIMATED REQUIRED 21-22 BUDGET (EX. GST):		\$58,400
ESTIMATED REQUIRED 21-22 SALARY (EX. GST):		\$5,900

It is intended that the 2020-2021 costs will be financed through the Road Reseal & Kerb & Gutter Renewal Programs. Approval for the budget to be released in advance of the Council endorsing the 2020/21 Budget will be sought through the Chief Executive Officer as per the 23 June 2020 meeting RESOLUTION 2020:06:COU204.

COMMUNITY PLAN

Objective 1.4: Foster a vibrant and active, event-filled Council area

Objective 2.1: Physical and social infrastructure to service our growing population and economy

Objective 2.5: Local economic activity to create local job opportunities and generate increased local wealth

11.11 GAWLER CIVIC CENTRE APRIL TO JUNE 2020 QUARTER UPDATE**Record Number:** CC20/57;IC20/332**Author(s):** David Barrett, Manager Business Enterprises and Communications**Previous Motions:** Council 24/07/2018, Motion No: 2018:07:274; Council 23/10/2018, Motion No: 2018:10:397; Council 17/12/2019, Motion No: 2019:12:COU471**Attachments:**

1. **South Australian Tourism Commission Events Post COVID-19 Research Paper CR20/49653** 
2. **Gawler Civic Centre Venue Hire and Use to 30 June 2020 CR20/49661** 

OFFICER'S RECOMMENDATION**That Council;**

1. **Notes the Gawler Civic Centre April to June 2020 Quarter Update report.**
2. **Acknowledges the importance of providing programs at the Gawler Civic Centre and the community and economic benefits that are gained from these programs.**
3. **Accepts that Gawler Civic Centre performance programs may not achieve cost recovery in the short to medium term due to COVID-19 impacts.**

SUMMARY

This report provides Council with an update regarding activities at the Gawler Civic Centre from 1 April to 30 June 2020.

BACKGROUND

In the lead up to the operational opening of the Gawler Civic Centre, an operations framework and business plans for each of the Council operated functional areas of the Centre were developed. This framework and the business plans were presented to Council as its 24 July 2018 and 23 October 2018 Meetings respectively where the following motions were resolved:

Moved by Cr D Hughes
Seconded by Cr P Koch
Motion No: 2018:07:274

That Council notes;

1. *The Gawler Civic Centre Operations Framework.*
2. *That draft Business Plans for each business enterprise to be established by Council in the new Civic Centre are to be presented to Council for consideration. Business Plans associated with both the Social Enterprise and Business Innovation Hub will be formulated by the respective contracted operators and submitted to Council at an appropriate time in the near future.*

Moved: Cr D Hughes
Seconded: Cr R Symes
Motion No: 2018:10:397

That Council:

1. *Notes the Gawler Civic Centre Strategic Marketing Plan.*
2. *Notes the four (4) Gawler Civic Centre Council Operated Business Enterprise Draft Business Plans.*
3. *Adopts the Hire of Gawler Civic Centre Venues Policy*

4. *Adopts the Gawler Civic Centre Venue Hire Fees and Charges as presented and requests Council Staff to add these Fees and Charges to Council's Fees and Charges Register.*
5. *Notes the proposed Gawler Civic Centre Moving-In Schedule.*

The primary purpose of the Gawler Civic Centre (GCC) is to revitalise and redevelop existing community (main-street) buildings that will drive economic growth, create new jobs and strengthen the social and cultural base of Gawler and the broader region. Social connection, community celebration and lifelong learning are key outcomes for this unique, regional facility.

The GCC contains six business functions that intend to collectively deliver significant community and economic development in the region, namely:

1. Gawler Public Library
2. Cultural Heritage Centre
3. Business Innovation Hub
4. Youth Space
5. Social Enterprise Café
6. Function Venues and Meeting Rooms

The Goals of the GCC are to:

1. Facilitate Lifelong Learning
To develop a diverse offering of contemporary education, training and research opportunities that will assist in driving a sustainable local and regional economy.
2. Celebrate History
Showcase Gawler's iconic and remarkable cultural heritage.
3. Grow the Economy
Provide an innovative precinct and supporting program to assist new and entrepreneurial business to develop and grow.
4. Engage through Community Interaction
Welcome, connect and partner with local, regional and tourist communities to celebrate the past, present and future in unique and integrated facilities.
5. Inspire through Innovation, Arts and Culture
Establish a regional centre with an innovative calendar of community events, educational programs and quality performances to inspire all generations.

The Gawler Civic Centre has a wide range of products and services to offer, delivered both separately and collectively via the six functional areas. Collaboratively these offerings will enable the Gawler Civic Centre to once again be the service centre for the broader Gawler region.

Key outcomes of the Gawler Civic Centre are to create an iconic, functional hub that will bring people, business and new employment opportunities to the Gawler CBD and establish a sense of belonging, well-being and support for the region through increased business activity, community events and interaction.

Outcomes of the Gawler Civic Centre are grounded in a strong desire by Council to build a stronger, more diversified and economically sustainable local and regional community and economy through:

- a. Assisting businesses and attracting new businesses to ensure that future economic prosperity of the Region is maintained and grown;
- b. Showcasing the region's Aboriginal, cultural and historical background to exhibit the region's diversity and attract not only locals but other visitors;
- c. Providing a venue for the arts that will attract locals, visitors and tourists and will provide spinoffs for other business ventures;

- d. Creating a cultural centre that will inspire innovation;
- e. Developing unique integrated spaces to reinforce Gawler's sense of identity;
- f. Providing a Centre to promote Gawler and the Greater Gawler region;
- g. Making available another contact point for Council administration;
- h. Ensuring the local and broader community has access to a contemporary library with a digital base and a centre for learning and research.

Each functional area within the Gawler Civic Centre will provide a range of different outcomes however many will also be shared across the entire facility. Shared outcomes include:

- education and lifelong learning,
- economic activity and employment outcomes,
- social interaction and
- safe community spaces.

These shared outcomes will deliver positive benefits to the wider Gawler community. A collaborative planning approach from Council Staff regarding events, programs, activities and other opportunities across the facility will optimise the activation of the unique spaces within the Gawler Civic Centre, drive efficiency and ensure delivery of community-led services.

This report outlines what has been achieved within the Gawler Civic Centre from 1 April to 30 June 2020.

COMMENTS/DISCUSSION

The Civic Centre has now entered its second 12 month period since its refurbishment and official launch on Sunday 7 April 2019.

Closure due to COVID-19

In response to the Federal and State Government imposed restrictions designed to limit the spread of the Coronavirus, the Gawler Civic Centre was closed for business as of midnight Wednesday 25 March 2020. This included the closure of all functional areas within the Centre including Civic Centre Library, Cultural Heritage Centre, Cultural Heritage Gallery, Youth Space, Meeting Rooms and Event Spaces. The Gawler Civic Centre re-opened to the public on 11 May 2020 for Library customers only. Other operational areas of the Centre re-opened on 1 June 2020 under the relevant COVID-19 restrictions at the time.

Council Staff resource reallocation

While all Council Staff working at the Civic Centre had ongoing operational work related to their respective roles that needed to be delivered, it is acknowledged that the closure of the Centre due to the COVID-19 crisis reduced their workloads. Consequently, as reported to Council in April 2020, the Executive Team (where possible and appropriate) redeployed permanent staff impacted by this closure to areas of the business where there were either existing vacancies or where there was increasing demand for service.

This resource redeployment was wound back when the various functional areas within the Civic Centre re-opened and Casual Staff working in the Library have now been re-engaged to deliver full library services.

Future outlook

The operational status of each area within the Gawler Civic Centre is subject to constant change as the State Government continually adjusts COVID-Safe requirements. During the quarter the State Government shifted the goalposts a number of times with increasing numbers permitted to gather indoors, reducing physical distancing requirements, requiring customer contact details to be captured for all activities at the Centre but then removing the need for Libraries to gather this information, etc... Council Staff have adapted very well to the ever-changing state of play and communicated these changes effectively to all customers at the Centre.

As this report acknowledges, customer numbers at the Civic Centre have been substantially lower than for the same period in 2019. Council Staff do not expect this to change in the near future as there is still uncertainty within the community, especially when considering the potential of a second outbreak of Coronavirus.

It is acknowledged that community behaviours have changed as a consequence of the Coronavirus pandemic. As outlined in previous reports to Council as well as below, program delivery converted to a majority online mode over the April-June quarter. The viability of continuing/expanding alternate program delivery models, such as online workshops and streaming live performances, is being further investigated by Council Staff as such methods may need to be maintained in the future. However, a return to face-to-face programs is also important.

A research report commissioned by the South Australian Tourism Commission (SATC) (**Attachment 1**) indicates that South Australians are ready to return to event activities but under certain conditions. Outdoor events that can provide adequate social distancing, cleanliness and small crowd sizes were found to be the short term event preferences, with higher perceived risk events being those where people are generally in close proximity to one another and where it feels like there are limited options to find a space to maintain a social distance.

Feedback from SA Event Attendees within the SATC report outlines what is expected at events as the following:

- a) Social distancing protocols are in place and attendees are reminded of this throughout the event, including indications on the ground to signal safe distances between people in queues
- b) Staggering entry times to manage fewer people at any given time
- c) Space to self-isolate –event organisers need to be aware that attendees will look for places where they can choose to have greater access to space. Adequate room to facilitate this is important
- d) Minimise any impacts to feelings of enjoyment of the event
- e) Higher number, and increased sanitation of toilet facilities –cleanliness was absolutely critical to SA event goers, even more so than crowd control. Strict cleaning protocols are expected for shared areas particularly toilets and any food handing locations
- f) Event must follow the guidelines of the relevant health authorities
- g) Other patrons will self-regulate (not attend if unwell) and maintain social distances at the event
- h) Appropriate distancing is also applied to any seated venues

A key consideration for future programming at the Civic Centre is the ability to provide attendees what they are expecting, as outlined above. Council Staff are delivering on all applicable expectations within future event planning.

Motivators to attending events for SA Attendees included returning to a sense of normalcy and being able to socially connect in-person with friends and family. Council Staff believe that providing the community with opportunities for social connection are vital for both community resilience and local economic revival. Council has also acknowledged the need for social activity within Gawler by providing for up to \$100k within its proposed Covid-19 stimulus package for community events and social connection activities.

Providing events that meet community expectations with respect to COVID-safety within the Civic Centre is possible and Council Staff have already started promoting such programs, like the Youth Space School Holiday Program. Future programs are under development, as outlined later in this report.

The financial outcome of future programs at the Centre is uncertain. Council Staff can be certain of the fixed costs of these programs (eg performance fees, staffing costs and advertising) but the revenue generated from these programs is difficult to predict. Pre-COVID participation levels are unable to be accommodated due to social distancing requirements and the community appetite for indoor events in the current environment is untested.

With respect to Civic Centre performance programs, Council has previously reflected a desire for these programs to break-even at a minimum. Prior to the pandemic, this outcome was being achieved however it may not be achieved in the short-medium term future of these programs. Council Staff believe that providing these programs is important for the community and therefore intend to proceed with presenting them, aiming for cost recovery but acknowledging that this may not be achieved in all cases. It should be noted that any performance program losses will be minor in the context of Council's overall operating budget and Council Staff believe that the community benefits achieved by providing these programs are more than worthy of such an investment.

Gawler Public Library

Unfortunately, due to the COVID-19/Coronavirus pandemic, all library programs and events were cancelled from March 18, 2020 therefore there were no events hosted by the Civic Centre Library during the quarter reported.

There was a minimal decline of active borrowers at the conclusion of this reporting quarter, down from 5,000 to 4,959 active borrowers. There was a heavy decline of loan items during the quarter, predominantly due to the Centre closure. Previous quarter loans are typically between 19,000 and 22,000 however the April to June 2020 period recorded just 8,538. Although the Library was closed, customers were still able to borrow items via the temporary Call and Collect service. The trend shows loans escalating again once the Centre re-opened with 738 loans in April, 2,655 in May and 5,145 in June.

Upon re-opening to the public on 11 May, the Civic Centre Library resumed its standard opening hours to the public, namely for 44 hours per week across 6 days:

Monday to Wednesday 9am to 5pm
Thursday 10am to 6pm
Friday 9am to 5pm
Saturday 9am to 1pm

The Click and Collect and Drop and Wave programs offered by the Gawler Civic Centre Library during the closure ceased when the Centre re-opened, however where required, eligible customers were offered access to the Home Visits Program.

Gawler Cultural Heritage Centre (CHC)

The digital launch of the 'e-hive' online catalogue of the Gawler Heritage Collection Cultural Heritage Centre Staff took place in May and provides the community with an opportunity to research the collection via online formats. The launch is a culmination of months of work for the Gawler Cultural Heritage Centre Staff, together with a dedicated team of volunteers and has been a timely tool to enable the public to continue their connection to the collection during the current physical closure of the Centre and beyond. 121 visits were recorded to the Town of Gawler website page linking researchers to e-hive up to 30 June 2020.

For the second quarter, there were no general or education programs delivered by the CHC. As the Centre was closed during April and May, there was a significant decline in the number of visitors for research purposes. The Cultural Heritage Centre re-opened on Monday 1 June and recorded 18 visitors to 30 June. The Cultural Heritage Centre continued to respond to any telephone and online research enquiries during the entire quarter, even during the closure period.

The Cultural Heritage Gallery has remained closed since the conclusion of its inaugural "Into the Light Exhibition". Planning and installation of the next exhibition "Fire the Cannon!" is underway and the exhibition will be launched on Wednesday 29 July 2020. The CHC was thrilled to receive 13 donations totalling \$2,850 from the Gawler Cultural Heritage Foundation to contribute towards the costs of the Gawler Institute Banner restoration, a key feature of the upcoming Exhibition.

As reported previously, Council Staff continue to explore future exhibition ideas that have been identified of interest by the Gawler Heritage Collection Committee to both meet the objectives of the redevelopment project and to provide the community with a variety of cultural and heritage experiences and building broad and diverse audiences. A budget bid (#P200185) for a net expense

of \$25,000 for the 2020/21 exhibition is provided for within Council's Draft 2020/21 Annual Budget that is currently out for community consultation.

Engagement with the CHC's Facebook page's growing list of followers continues to be an important connection point with those in the community who have an interest in Gawler's cultural heritage. In the absence of being able to engage personally with visitors to the Centre, the number of posts increased by 10 from the previous quarter, with 31 posts during this reporting quarter. The Facebook page has gained another 28 followers during the April to June quarter with a total of 266 follower at the end of the quarter. The Facebook Average Post Reach has declined to 367, down from 509 the previous quarter.

Although closed two out of the three months in the quarter, the CHC has not only retained its volunteer group, but has attracted one new volunteer, totalling 7 in this reporting quarter. These valued and dedicated volunteers accessioned a further 72 new documents into Council's e-hive catalogue. During the enforced building shutdown, many of the volunteers continued supporting the CHC from home undertaking online research utilising institutional resources from across the country and were pleased to join us back in the CHC when it re-opened.

Business Innovation Hub (BIH)

With working from home becoming the "new normal" during the recent Coronavirus restrictions, Hub Membership fell considerably across the last quarter of the 2019/20 Financial Year. As at 30 June 2020, Mr Morris reported 10 Hub Members (down 37.5% from the previous quarter) comprising 7 full-time paid and 3 complimentary.

Complimentary memberships are currently provided to Regional Development Australia Barossa, Gawler, Light, Adelaide Plains (1), Gawler Business Development Group (1), Connexus Pay It Forward Project (1). It should be noted that these complimentary memberships are only part-time.

The Hub provided either full or partial subsidies on Membership Fees without question during the last quarter to ensure ongoing engagement. 7 Members left the Hub across the quarter with only one new starter. Of the Members that have left the Hub, 3 outgrew the space with the COVID-19 scenario moving their plans to relocate forward and 4 chose to simply withdraw Membership.

The Hub has been developing new businesses within Gawler and these businesses will be brought on as Members in August 2020. At this time, details regarding these businesses is commercial in confidence. In addition, two new Members have been attracted to Gawler by the Hub and will also commence Membership in August 2020.

A Confidential Council Member Workshop has been scheduled to discuss Business Innovation Hub operations, programs, projections and outcomes on Thursday 30 July 2020.

Youth Space

Due to the COVID-19 pandemic, programing ceased midway through term one. The full suite of social and skill development School Holiday programs planned for April were cancelled also.

Council Staff were able to transition term two programs online via Zoom during the Civic Centre closure. When the Centre re-opened and restrictions allowed a combination of in person and online programs where provided in accord with social distancing requirements.

During the April to June period, Council ran a total of 18 programs including:

1. Weekly Wellness (Monday)

The Holistic Headmaster will work through personal goals, mindfulness, yoga and breathing

2. Learn to Draw (Tuesday)

Online character design drawing session with local artist Luke Halford.

3. Midweek Hangs (Wednesday)

A chance to get together and chat with other young people across Gawler, with the occasional special guest

4. Music Afternoons with Crafty

Mark Dean (Crafty) has been teaching young people of all skill levels with various acoustic instruments in a group setting. Crafty's popular sessions and master classes were online.

The abovementioned programs were attended by a total of 129 youth (down by 100 from the previous quarter). Staff noticed a significant difference in those attending online to in house. Majority of the participants online were different to the normal Members attending. Online programs did not require a Membership. As some programs transitioned back to site mid-June only a handful of the new faces seen online translated to in-house growing Memberships to 55, an increase of five since last quarter. Planning for on-site July school holiday programs and Term 3 programming also commenced during the quarter.

Niina Marni Kadlitiya Café

Niina Marni Kadlitiya remained closed during the entire April to June quarter since its temporary closure due to COVID-19 on Wednesday 18 March 2020. In an email sent to Council Staff, Red Centre Enterprises advises that whilst Stage 3 Restrictions have been lifted in South Australia, it is still not financially viable for them to re-open the Café. Red Centre Enterprises intend to re-open the Café as soon as State Government restrictions on catered events that have been implemented to reduce the risk of Coronavirus transmission are further eased.

Function Venues and Meeting Rooms

Due to the COVID-19 pandemic restrictions, all Meeting Room and Event Space use at the Civic Centre was suspended from 26 March to 31 May inclusive, with pre-booked events and hires either re-scheduled or cancelled. There were 212 cancelled hours in the Town Hall Meeting Rooms and 74 cancelled sessions in the Institute Event Spaces during the past quarter. Venue hire availability resumed when the Centre re-opened on 1 June, with most of our regular community user groups returning throughout June. Institute Event Spaces and Town Hall Meeting Room use statistics for the quarter are provided within **Attachment 2**.

Staff responded to a total of 8 venue hire enquiries in the months of May and June, two of which converted to bookings. These bookings were made in June when the centre re-opened and Civic Centre restrictions had eased – one in the Town Hall Meeting Rooms and one in the Institute Event Spaces.

Although the Town Hall Meeting Rooms were largely unavailable for public bookings or use during this quarter, they provided a vital space for Council Staff to work from. As essential workers, Council Staff were relocated across various Council buildings throughout the COVID-19 pandemic to allow for appropriate physical distancing protocols (1.5m between staff) to be in place. When the Evanston Gardens Library returned to restricted operations from Monday 18 May, Council Staff who were previously relocated there were moved into all four of the Lower Ground Town Hall Meeting Rooms and two (out of three) of the First Floor Meeting Rooms, from Friday 15 May. These rooms currently remain occupied by Town of Gawler Staff so that Council's Administration can continue to adhere to recommended physical distancing protocols.

This use is reflected in the attached statistic spreadsheets, as were the cancellations, per month, due to the COVID-19 pandemic. Excluding the use of the six Meeting Rooms for Town of Gawler staff (100% from 15 May) and the 100% use of one Meeting Room for Cultural Heritage Centre, the three remaining Meeting Rooms were accessed (when available) by corporate groups for 13 hours (previous quarter was 8 hours) and community groups for 35 hours (previous quarter was 220 hours).

No after-hours bookings of Town Hall Meeting Rooms were made throughout the quarter, despite this opportunity being regularly promoted to the community.

Attachment 2 shows that each event space within the Institute was available for use across 258 sessions in the quarter, however, due to the COVID-19 closure this was technically incorrect. Technically our venues were only publically available for 87 sessions (June only), however for consistency we've included the total sessions for both the Meeting Rooms and Institute Event Spaces. Actual usage compared to last quarter was 6 corporate sessions (up from 4), 0 community

sessions (down from 5), 22 Council sessions (down from 124) and 7 maintenance sessions. Council and Committee Meetings returned to the Institute from 11 June, and use of the Council Chamber, Seating Gallery and Hall spaces were used for all to enable physical distancing between community attendees, elected members and staff.

Council Staff have discussed 2020/21 promotions with The Bunyip and agreed to a schedule of promotions during the financial year. Council will place a full page spread within The Bunyip's first publication of each month from August 2020 to June 2021. Council will then place a half-page spread within The Bunyip's third publication of each month from August 2020 to June 2021. The financial commitment for this scheduled advertising is \$23,923.68 (excluding GST). In addition to the pre-booked placements, Council will continue to place ad-hoc advertisements on an as-needs basis.

In recognition of Council's ongoing support for the publication, The Bunyip has agreed to remove the online paywall for Council's paid promotions, especially those that incorporate community engagement, enabling a reach to over 100,000 people via its Facebook page.

The advertising within The Bunyip is for all of Council's activities, not just the Civic Centre, so whilst Civic Centre activities may feature within the scheduled publications, ad-hoc placements may be required as other Council activities may need the full allocation of space at certain times of the year.

The volunteer tour guide and greeter program was discontinued throughout the April to June quarter and its resumption will be reassessed in future months.

The Civic Centre Facebook Page now has 842 followers (a gain of 2 during the quarter) and an average organic post reach of 81 people. There were no paid posts as there were no events during the quarter requiring promotion. Standard posts throughout the quarter were reduced, highlighting predominantly updates relevant to COVID-19 restrictions.

Again, due to COVID-19 closure, there were no Council hosted / ticketed shows throughout the quarter. Council's Civic Centre Operations Coordinator continued to reschedule all pre-planned performance programs to later in 2020 and/or 2021. Some planned 2020 shows and events are detailed below:

Show / Event	Date/Time
Pushing Up Daisies Digital Art Exhibition	3-31 August (Monday-Friday, 9am-5pm)
Bumbles the Clown – Incredi-Bubble Show	Wednesday 7 October at 11am
ABBA Gold	Friday 23 October at 8pm
Arts on the Plains Art Exhibition	2-30 November (Monday-Friday, 9am-5pm)
Nunga Screen Film Festival	8-15 November (in conjunction with NAIDOC week 2020)
The Beatles Show by Rachael Leahcar	Friday 27 November at 8pm
Off The Cuff (Dixieland Band) – SA Police Band	Thursday 3 December at 11am

These planned events will need to comply with COVID-Safe requirements that are in place when the events occur. At the time of writing this report, indoor venues were permitted to have 1 person per 2 square metres and encouraged to apply 1.5m physical distancing. Under this level of restrictions, the Institute Hall can accommodate up to 100 people, providing the opportunity to re-commence programming within these spaces. Given the required lead time to confirm performers and advertise events, the first performances have been scheduled for October 2020 (as outlined in the above table).

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer
 Manager Library and Community Services
 Team Leader Library and Customer Service
 Gawler Civic Centre Coordinator
 Cultural Heritage Centre Coordinator
 Heritage Research and Collections Officer
 Youth Development Officer

CONSULTATION (EXTERNAL TO COUNCIL)

Red Centre Enterprises
 Andrew Morris

POLICY IMPLICATIONS

Hire of Gawler Civic Centre Venues Policy
 National Competition Policy

RISK EVALUATION

Re-opening the Gawler Civic Centre after it being temporarily forced to close due to the Coronavirus pandemic has again shifted its risk profile. Current risks are focused on providing appropriate levels of social connection/programming whilst adhering with COVID-Safe requirements.

Risk	
Identify	Mitigation
Community use of the Centre and program attendances decline due to fear of virus transmission	Hand sanitiser stations available at entrances and within event spaces, Council Staff performing regular wipe-downs of high touch areas, social distancing obligations reinforced with signage and floor indicators
Commercial operations within Centre unable to return.	Promote actions being undertaken to provide a safe place to conduct business, provide support to operators with connections to specialist business advisory services via Regional Development Australia and Gawler Business Development Group, and activate event spaces in accordance with COVID-Safe plans.
Opportunity	
Identify	Maximising the Opportunity
Service Delivery during the short-medium term COVID-19 recovery phase.	Online services maintained where possible, future programs deliver on community expectations with respect to COVID-Safety, Council acknowledges the need to invest in programs that provide social connection

STATUTORY REQUIREMENTS

Nil

FINANCIAL/BUDGET IMPLICATIONS

The six business functions within the Gawler Civic Centre are funded from a range of sources within Council's Annual Budget but predominantly from Council's Business Enterprises and Communications and Library and Community Services Divisional Budgets respectively.

COMMUNITY PLAN

- Objective 1.2: Build a local community that is proud of Gawler
- Objective 1.3: Protect and promote Gawler's unique heritage
- Objective 1.4: Foster a vibrant and active, event-filled Council area
- Objective 1.5: Promote cultural heritage and the creative sector to build community spirit pride
- Objective 2.1: Physical and social infrastructure to service our growing population and economy
- Objective 2.2: Growth to be sustainable and respectful of cultural and built heritage
- Objective 2.3: The local environment to be respected
- Objective 2.4: Manage growth through the real connection of people and places
- Objective 2.5: Local economic activity to create local job opportunities and generate increased local wealth
- Objective 3.1: Health and social wellbeing services in Gawler to meet growing regional community needs
- Objective 3.4: Gawler to be an inclusive and welcoming community
- Objective 3.5: Recognise, respect, support and advocate on behalf of volunteers
- Objective 3.6: Encourage the development of the Arts and the creative sector
- Objective 3.7: Provision of library services
- Objective 4.4 Support sustainable use of natural resources and minimise further waste to landfill
- Objective 5.1: Support and encourage community teamwork
- Objective 5.2: Be recognised as a 'best practice' Local Government organisation
- Objective 5.3: Deliver ongoing effective and efficient services, including support for regional collaboration
- Objective 5.4: Create a safe community environment








11.12 WAIVER TO LAND MANAGEMENT AGREEMENTS 11551398 & 11558086 TO ALLOW REMOVAL OF NON-REGULATED TREE

Record Number: CC20/57;IC20/497

Author(s): Jessica Lewig, Development Assessment Planner

Previous Motions: Nil

Attachments:

1. **Attachment 1 - Arborman Arborist Report for Tree 20 CR20/50257** 
2. **Attachment 2 - LMA 11551398 CR20/50258** 
3. **Attachment 3 - LMA 11558086 CR20/50259** 
4. **Attachment 4 - DA 490 12 2015 Approved Plan of Division CR20/50260** 
5. **Attachment 5 - DA 490 747 2015 Approved Plan of Division CR20/50262** 
6. **Attachment 6 - Request for waiver to LMA CR20/50263** 
7. **Attachment 7 - Project Green Arborist Report CR20/50264** 

OFFICER'S RECOMMENDATION

That Council waive the requirements pertaining to tree protection contained within:

- a. **Land Management Agreement with reference 11558086; and**
- b. **Land Management Agreement with reference 11551398**

and thus allow for the removal of one non-regulated tree (tree 20) at lot 805 Murray Hillier Court (CT 6229/438).

SUMMARY

The land developers of the Cooper Rise Estate land division at Murray Hillier Court (approved as part of DA490/12/2015 (490/D039/14) and DA49747/2015 (490/D051/15)) are seeking for the removal of one non-regulated tree. The tree is currently located on development allotment 805 (CT6229/438). This tree is protected by two Land Management Agreements (LMAs) registered over the subject site. Council is party to these LMAs and thus Council consent is required in order to remove this tree in accordance with the provisions of the LMA's.

BACKGROUND

The subject land originally comprised allotments 2 (CT 5454/335) and 50 (CT 5340/222) which were under separate ownership. These two allotments were rezoned from the Deferred Urban Zone to the Residential Zone as part of the Hillier Development Plan Amendment (DPA), which was consolidated into the Town of Gawler Development Plan on 27 November 2014.

In January 2010, and as part of investigations associated with the Hillier DPA, a full tree survey was undertaken to provide advice in regard to which trees were suitable for retention within the future redevelopment of the site. This survey identified 83 trees (two of which were tree 'groups') on the site, which included eight (8) regulated trees. The Regulated Trees are referred in the tree survey as trees 7, 8, 9, 10 11, 12, 26 and 39. Refer to **Attachment 1**.

Of the 83 trees surveyed the report indicated that only one of the eight regulated trees was suitable for retention (tree 26), but did note that some non-regulated trees 13-20, 22, 23, 25, 30-33, 37 and 42 were considered to be 'good quality trees,' but did not require Development Approval to be removed.

In 2010, and as part of the re-zoning process that occurred with the Hillier DPA, Council entered into two separate Land Management Agreements (LMA's) over the titles; one with the owner of allotment

2 (Adelaide Land Development Projects Pty Ltd), and one with the owner of allotment 50 (R Maiolo). Of the 83 trees identified, 15 trees were subsequently protected by these LMA's. The trees protected are numbered (in the tree survey and within the LMA) as 7, 8, 11, 12, 13, 14, 20, 26, 30, 37, 53, 54, 65, 67 and 70. It should also be noted that trees 9, 10 and 39 are Regulated Trees, but were not protected by the LMA. These trees are located in the previously approved reserve and are proposed to be retained as part of the development.

LMA 11551398 (**Attachment 2** - originally registered over then allotment 2) and LMA 11558086 (**Attachment 3** - originally registered over then allotment 50) both contained the same requirements with regards to tree protection, acoustic requirements for buildings on allotments adjacent to Jack Cooper Drive and thermal performance of buildings.

Following the rezoning of the land on 27 November 2014, Adelaide Land Developments Pty Ltd purchased allotment 50 and subsequently lodged two Development applications for land division over both allotments. Namely these applications sought for the following:

- a. DA490/12/2015 (490/D039/14) – *Land Division (1 allotment into 48) including excavation and filling of land within a flood prone area, retaining walls (maximum height 2m) & associated reserve; and*
- b. DA49747/2015 (490/D051/15) – *Land division (1 into 49 allotments)*

As part of the assessment of the land division application, the developer sought for the removal of tree 30 and the waiver of all acoustic attenuation requirements. It is noted that at that stage, the developer was also seeking for the removal of tree 20 (subject tree) and tree 26 (a regulated tree protected by the LMAs). During the assessment process, it was negotiated to retain those two trees. The retention of these trees however required the construction of retaining walls to a height of 2 metres due to the earthworks required for the land division.

Council at its meeting 28 July 2015 resolved the following:

*Moved by Cr A Shackley
Seconded by Cr J Vallelonga
Motion No: 2015:07:277*

That Council:-

1. *Waive the requirements pertaining to tree protection contained within the Land Management Agreement with reference 11558086 and registered over allotments 2 and 50 (CT 5340/222 and 5454/335), by allowing for –*
 - a. *The removal of one non-regulated tree (tree 30) of LMA (11558086)(Clause 10.5).*
 - b. *Retaining walls to be constructed and modifications to the natural ground levels only on the outer edges of the tree protection zones of trees 20 and 26 of LMA (11558086)(Clause 10.10- 4.1.13 and 4.1.14). It is noted that the retaining wall will be on private land and will not be the responsibility of Council.*
2. *Waive in entirety the requirements pertaining to acoustic mitigation requirements as contained within the Land Management Agreement with reference 11558086 and registered over allotments 2 and 50 (CT 5340/222 and 5454/335), as such matters are now legislated and will be addressed through the building rules assessment processes.*
3. *That the plans for landscape and related community use infrastructure on reserve land approved as part of the Hillier DPA land be presented to an Infrastructure and Environmental Services Committee meeting for consideration and approval by Council prior to Development Act, Section 51 approval.*

Both development applications were presented to the then Council Development Assessment Panel and granted Development Plan Consent and Land Division Consent. The approved Plans of Division for DA490/12/2015 and DA490/747/2015 are included as **Attachments 4** and **5** respectively.

These applications have since been enacted to create the Coopers Rise Estate which is currently under construction in stages. Stages 1A and 1B have been constructed, with construction approval recently being granted to Stage 2A and 2B. At the creation of Certificates of Title for each stage/

allotment, the two LMAs have been registered over the newly created allotments where required. Given lot 805 which contains the subject tree is a development lot (approved for further division), both LMAs are currently registered over this title.

As part of the construction of Stage 2B, the developer is seeking for the removal of the non-regulated tree 20 and has submitted a formal request in writing for Council to waive the requirements pertaining to tree protection so that this may occur. The applicants request is included as **Attachment 6**.

It should be noted that Tree 20, which is the subject of this request to waiver, is not a Regulated Tree, and its removal would otherwise not require any consents from Council for its removal.

COMMENTS/DISCUSSION

The initial land division applications previously approved by the CDAP sought for the creation of the residential allotments, and also included the earthworks for the overall division. The earthworks associated with the land division were of particular importance during the assessment of the application given that some of the land is located in the floodplain. The Development Plan requirements relating to earthworks present a number of challenges with regards to retention of the subject (non-regulated) tree.

As discussed, the developer previously requested to remove the subject tree and tree 26 in order to mitigate the design measures required to retain the tree which were considered by the developer to be onerous. However at the time, staff undertook further discussions with the developer to honour the intent of the LMA to protect all 15 trees where practically possible. After extensive negotiations with the applicant to provide a design solution to facilitate the retention of the subject tree, the applicant then proposed only tree 30 be approved for removal. As outlined above, this was agreed to by Council at their July 2015 meeting.

Preliminary bulk earthworks have since been undertaken on site in accordance with the approved plans for the land division application. Thus the true extent of works required to retain tree 20 have become apparent, including the height of future retaining walls. Photographs showing the positioning of the non-regulated tree relative to the road design are included below:



Image 1: Photo of subject tree relative to approved road grade (looking north)



Image 3: Photo of olive and peppercorn seedlings in close proximity to subject tree)



Image 2: Photo of subject tree relative to approved road grade (looking east)

The land developer has requested consent to remove the subject tree due to aesthetic impacts, the unordered development of the land, potential environmental impacts on the tree, and the impact of the tree on future land owners. To support their request, the developer has provided and updated arborist report which undertook an assessment of the tree. This report is contained within **Attachment 7**.

In summary, the following concerns have been identified:

- a. The base of the tree is surrounded by olive and peppercorn seedlings (see below photo). It is understood these have self-seeded from neighbouring trees. Following a discussion with the developer on site, it is understood that works in order to remove these seedlings would likely damage the subject tree root system;
- b. The long term health prospects of the tree are reduced by the previously approved design. In particular, the arborist has noted:

1. *While red gums are generally tolerant of significant earthworks they also have a low tolerance for substantial changes in hydrology. The placing of this tree on an "island" is a logical design consideration if retention is desirable, however it is questionable if this an adequate design solution that will provider longevity to a species such as a red gum which will easily attain a size 5 times the current tree dimensions*

The above concerns regarding the longevity of the tree in an urban area were previously raised as part of the consideration of the appropriateness of retention of tree 20 in the 2015 report presented to Council. In that report, Council's then Operations and Open Space Officer provided the following comments:

Whilst [trees 20, 26 and 30] are mature, based on their size, they are all considered to be quite young. As River Red Gums have the potential, even in an urban setting, to grow very large, it is considered that these trees could pose a significant risk to safety if located in the front yard of small residential allotments. It is reasonable to expect that at some stage of the life of these trees that they will be subject to sudden limb drop. Eucalyptus and Corymbia species have developed drought resistant root systems and therefore have expansive growth patterns, and are not suited to small properties where built structures and infrastructure are within the tree target zones. Apart from canopy debris, the greatest risk is the damage that is caused by heaving (root crowding), which is the result of root growth. As none of Councils current approved street trees list detail River Red Gums or Spotted Gums as an approved species, it is considered that trees 20, 26 and 30 are generally not suitable in the front yards, as these trees are within close proximity to the front boundary and road verges.

As outlined in the 2015 Council report, there were also concerns raised by the author regarding the aesthetic/character impacts resulting from the retention of the subject tree. In particular it was noted:

If trees 20 (subject tree), 26 and 30 were retained, the significant earthworks required to achieve the raised roads and allotments above the flood level will result in some negative visual impact. Over the whole proposed land division there are differences in the finished levels of the roadway and the allotments. It may be considered to be not aesthetically desirable or practical to either retain either cut or fill. It was also noted from a character perspective, if the subject trees are retained, the dwellings on proposed allotments 66, 67, 75 and 76 will have to be setback significantly more than the dwellings on the adjacent allotments and there will be significant ground level differences in the front of the these allotments in comparison to the adjacent allotments.

It is considered that the extent of this aesthetic/ character impact has become more apparent per the above photos following the commencement of the bulk earthworks schedule.

In light of the above identified aesthetic impacts, the likely unordered development of the adjoining allotments, potential environmental impacts on the tree, and the potential future impacts of the tree on future land owners, it is considered there is adequate justification to support the land developers request to waive the requirements of the LMAs pertaining to tree protection measures for tree 20.

Council are able to waive these requirements of the LMAs per Clause 6.4 of LMA 11551398 and Clause 7.4 of LMA 11558086 (it is noted that these are intended to be the same clauses, however

there appears to be a typographical error in the numbering of LMA 11558086).

Given the tree is not a Regulated tree as defined under the *Development Act 1993*, there is no legislative requirement for planting of replacement trees. However it is considered that the proposed street planting schedule for the land division in line with Council's "Tree Planting for New Land Divisions" policy will result in the planting of more appropriate trees within an urban setting.

COMMUNICATION (INTERNAL TO COUNCIL)

Senior Development Assessment Planner
 Senior Development and Stormwater Engineer
 Team Leader Development Services
 Manager Development, Environment and Regulatory Services

CONSULTATION (EXTERNAL TO COUNCIL)

Project Manager, Adelaide Land Development Projects
 Manager Land Development, Chamberlain Group of Companies

POLICY IMPLICATIONS

Street trees in the Cooper Rise Estate to be planted in accordance with Council's "Tree Planting for New Land Divisions" policy.

RISK EVALUATION

Risk	
Identify	Mitigation
The required tree protection measures may shorten the lifespan of the tree	LMA to be waived to facilitate the removal of the non-regulated tree
Potential reduction in biodiversity value of the area through the removal of a juvenile River Red Gum	An overarching open space design for the adjacent reserve is required to be presented to the IES Committee for consideration and approval
The removal of existing olive and peppercorn seedlings may jeopardise the structural stability of the tree	LMA to be waived to facilitate the removal of the non-regulated tree and associated pest/weed species
Opportunity	
Identify	Maximising the Opportunity
Increased (and more orderly) development potential of the previously approved allotment for residential purposes	LMA to be waived to facilitate the removal of the non-regulated tree
Remove the requirement for high retaining walls on the allotment	LMA to be waived to facilitate the removal of the non-regulated tree

STATUTORY REQUIREMENTS

The tree is not legally considered to be a Regulated Tree per the definitions outlined with the *Development Act 1993* or *Development Regulations 2008*.

The non-regulated tree is protected by a Land Management Agreement registered over the subject site in accordance with Section 57(2) of the *Development Act 1993* which Council is a party to.

FINANCIAL/BUDGET IMPLICATIONS

Nil

COMMUNITY PLAN

Objective 1.1: Maintain a clearly defined township, one which is distinct from neighbouring areas

Objective 2.3: The local environment to be respected

Objective 4.5 Support provision of useable open space that preserves natural habitat and biodiversity

12 RECOMMENDATIONS FROM COMMITTEES

12.1 RECOMMENDATIONS FROM GAWLER YOUTH ADVISORY COMMITTEE MEETING HELD ON 1 JUNE 2020

Record Number: CC20/57;IC20/471

Author(s): Connie Hall, Personal Assistant Library and Community Services

Previous Motions: Nil

Attachments: Nil

Item 7.2 - Youth Development Officer Verbal Report

RECOMMENDATION

That Council notes the Motion from the Gawler Youth Advisory Committee made at item 7.2 of the meeting of that Committee meeting held on 1 June 2020, being:

That the Gawler Youth Advisory Committee notes the verbal update provided by the Youth Development Officer.

Item 6.1 - Appointment of Members

RECOMMENDATION

That Council adopts the recommendation from the Gawler Youth Advisory Committee made at item 6.1 of the meeting of that Committee meeting held on 1 June 2020, being:

That the Gawler Youth Advisory Committee recommends to Council that:

1. Council accepts resignations to the Committee from Luke Mollet and Andrew Welch, and thanks Luke Mollet and Andrew Welch for their contributions to the Committee.
2. Council receives expression of interest from Jack Gill, Renee Chamberlain, Grace Gallagher and Emilia Muriti for membership to this Committee.
3. Having considered the nominations of the candidates for the four vacant Committee positions, the Gawler Youth Advisory Committee recommends to Council that:
 1. Jack Gill
 2. Renee Chamberlain
 3. Grace Gallagher
 4. Emilia Muriti

be appointed to the Gawler Youth Advisory Committee for a period of two years.

Item 7.1 - National Career Institute Partnership Grants Round One

RECOMMENDATION

That Council adopts the recommendation from the Gawler Youth Advisory Committee made at item 7.1 of the meeting of that Committee meeting held on 1 June 2020, being:

That the Gawler Youth Advisory Committee recommends to Council that it supports the further investigation and application to the National Careers Institute Partnership Grants Round One.

12.2 RECOMMENDATIONS FROM GAWLER YOUTH ADVISORY COMMITTEE MEETING HELD ON 6 JULY 2020

Record Number: CC20/57;IC20/523

Author(s): Chris Haynes, Governance Support Officer

Previous Motions: Nil

Attachments: Nil

Item 7.3 Youth Development Officer Verbal Report

RECOMMENDATION

That Council notes the recommendation from the Gawler Youth Advisory Committee made at item 7.3 of the meeting of that Committee meeting held on 6 July 2020, being:

That the Youth Development Officer's verbal report be noted.

Item 6.1 - Youth Portal content transition and opportunities via the Town of Gawler website

RECOMMENDATION

That Council adopts the recommendation from the Gawler Youth Advisory Committee made at item 6.1 of the meeting of that Committee meeting held on 6 July 2020, being:

That the Gawler Youth Advisory Committee (GYAC) recommends to Council that:

1. Use of the Youth Portal cease and relevant information from the portal be transferred to the Town of Gawler website.
2. That the domain name is to be kept and that traffic to the Youth Portal be redirected to the Youth page on the Town of Gawler website.

12.3 RECOMMENDATIONS FROM GAWLER HERITAGE COLLECTION COMMITTEE MEETING HELD ON 9 JULY 2020**Record Number:** CC20/57;IC20/508**Author(s):** Sara Preece, Personal Assistant Business Enterprises and Communications**Previous Motions:** Nil**Attachments:** Nil**Item 6.1 - Deductible Gift Recipient and Donation Options Update**

RECOMMENDATION

That Council adopts the recommendation from the Gawler Heritage Collection Committee made at item 6.1 of the meeting of that Committee meeting held on 9 July 2020, being:

That the Gawler Heritage Collection Committee recommends to Council that it notes that:

1. The Cultural Heritage Centre has been endorsed as a Deductible Gift Recipient by the Australian Taxation Office.
2. A Donation Point Go contactless payment system will be installed in the Heritage Gallery to allow visitors to financially support the work of the Cultural Heritage Centre.
3. A traditional acrylic donation box will also be placed in the Heritage Gallery for those visitors who prefer cash donations.

12.4 RECOMMENDATIONS FROM SPECIAL CEO PERFORMANCE MANAGEMENT PANEL MEETING HELD ON 13 JULY 2020**Record Number:** CC20/57;IC20/552**Author(s):** Chris Haynes, Governance Support Officer**Previous Motions:** Nil**Attachments:** Nil**Item 6.1 - Chief Executive Officer Performance Review Survey Update and Process**

OFFICER'S RECOMMENDATION

That Council notes the adopted recommendations from the CEO Performance Management Panel made at item 6.1 of the meeting of that Panel meeting held on 13 July 2020, being:

6.1 Chief Executive Officer Performance Review Survey Update and Process

1. That the Chief Executive Officer Performance Review Panel notes the discussions regarding the Chief Executive Officer Performance Review Survey Update and Process.
2. That the Chair of the CEO PMP discuss with the external consultant undertaking the review a potential date for the next CEO PMP meeting to receive an update report.

12.5 RECOMMENDATIONS FROM CORPORATE & COMMUNITY SERVICES COMMITTEE MEETING HELD ON 14 JULY 2020

Record Number: CC20/57;IC20/555

Author(s): Kate Symes, Governance Coordinator

Previous Motions: Nil

Attachments: Nil

12.5 Motions Made Under Delegated Authority for Noting

OFFICER'S RECOMMENDATION

That Council notes the adopted Motions from the Corporate & Community Services Committee made under Delegated Authority at the meeting held on 14 July 2020, being:

Item 7.4 - Gawler Reconciliation Action Plan Update IC20/408

That the Corporate & Community Services Committee notes the Gawler Reconciliation Action Plan Update report.

Item 7.5 - Community Connect Program (COVID-19 response initiative) IC20/407

That the Corporate & Community Services Committee:

1. Notes the Community Connect Program report.
2. Notes that a further update report regarding the Community Connect Program will be presented to a future Corporate and Community Services Committee meeting.

Item 7.6 - Library & Community Service - COVID19 Response Update IC20/449

That the Corporate & Community Services Committee notes the Library & Community Service – COVID-19 response report.

Item 7.9 - Policy Review IC20/69

That the Corporate & Community Services Committee:

1. Adopts the following policies:
 - a. Ombudsman Enquiry and Investigation Management
 - b. By-Law Enforcement – Fines
 - c. Library Service

12.5.1 Item 7.1 - Gawler Aquatic Centre 2019/2020 Season Review

RECOMMENDATION

That Council adopts the recommendation from the Corporate & Community Services Committee made at item 7.1 of the meeting of that Committee meeting held on 14 July 2020, being:

That the Corporate & Community Services Committee recommends to Council that:

1. The Gawler Aquatic Centre 2019/2020 Season Review Report is noted.
2. Council notes the arrangements being made and scope of services to be provided as part of the 2020/21 season.
3. The Mayor and Chief Executive Officer be authorised to approve the final wording, location and size of a Memorial plaque for Mr Derek Sankey.

12.5.2 Item 7.2 - CHANGE Original Music Festival

RECOMMENDATION

That Council adopts the recommendation from the Corporate & Community Services Committee made at item 7.2 of the meeting of that Committee meeting held on 14 July 2020, being:

That the Corporate & Community Services Committee recommends to Council that the promotional material for the 2020 CHANGE Original Music Festival totalling \$2,285 is provided for by the 2020/21 Activation Budget residual component.

12.5.3 Item 7.3 - 2021 Gawler Fringe

RECOMMENDATION

That Council adopts the recommendation from the Corporate & Community Services Committee made at item 7.3 of the meeting of that Committee meeting held on 14 July 2020, being:

That the Corporate & Community Services Committee recommends to Council that:

1. The 2021 Gawler Fringe encompasses a program of events and activities as outlined in this report, but subject to the status of COVID-19, including:
 - a. A weekend opening event at Walker Place on Friday 19 February 2021, and subsequent options for busking and entertainment in Walker Place that don't require security and fencing with some smaller activities/performances occurring across the month of Fringe.
 - b. Events in the Gawler Civic Centre on Saturday 20 & Sunday 21 February and across the month of Fringe including, but not limited to, the SAGA Gawler Women's International Film Festival, a comedy show, a children's show, Nunga Fringe, acoustic performances, art exhibitions and demonstrations.
 - c. One Fringe in the Park Event to occur at a local reserve.
 - d. Marketing campaign for all Fringe activities occurring across the Town including local businesses that may register as stand-alone Adelaide Fringe venues/events.
2. The 2021 Gawler Fringe is implemented within the 2020/21 Activation Budget allocation of \$30,000 plus \$26,700 in kind.
3. Walker Place and the Gawler Civic Centre are registered as Adelaide Fringe venues for the 2021 Gawler Fringe.

12.5.4 Item 7.7 - Customer Service Strategy

RECOMMENDATION

That Council adopts the recommendation from the Corporate & Community Services Committee made at item 7.7 of the meeting of that Committee meeting held on 14 July 2020, being:

That the Corporate & Community Services Committee recommends to Council that it approves the release of the draft Customer Service Strategy for public consultation.

12.5.5 Item 7.8 - Heritage Buildings Information - Mobile Device Interactive Links Update

RECOMMENDATION

That Council adopts the recommendation from the Corporate & Community Services Committee made at item 7.8 of the meeting of that Committee meeting held on 14 July 2020, being:

That the Corporate & Community Services Committee recommends to Council that:

1. The ArcGIS solution outlined in this report be used to provide the community with access to information regarding both Council and other significant buildings, locations and sites within Gawler that link to Council's eHive platform and that QR codes affixed to such buildings, locations and sites will not be pursued.
2. It requests Council Staff to notify the Gawler History Team of this decision.

12.5.6 Item 7.10 - Karbeethan Reserve Master Plan

RECOMMENDATION

That Council adopts the recommendation from the Corporate & Community Services Committee made at item 7.10 of the meeting of that Committee meeting held on 14 July 2020, being:

That the Corporate & Community Services Committee recommends to Council that:

1. It adopts the Karbeethan Reserve Master Plan including final project cost estimate to guide the redevelopment of Karbeethan Reserve as a high quality Regional Sporting and Community Precinct.
2. Council notes that the latest cost estimate to deliver the entire Karbeethan Reserve Master Plan is \$46.7m – excluding any project cost escalations. The capacity of Council to deliver such a significantly costly project at this point is beyond its means and as such a staged approach to the implementation of the Master Plan is considered a more prudent approach.
3. The implementation of the Karbeethan Reserve Master Plan be progressed, subject to Council's Long Term Financial Plan, Prudential Reporting and Annual Budget deliberations, including the need for external funding to be provided, such that capital upgrades are undertaken in a staged manner.
4. It notes Council's financial capacity to deliver its next 'iconic community project' as provided for within the latest update of its Long Term Financial Plan is estimated at a net \$20m (gross \$40m less 50% external grant funding), split over two years, commencing from the 2025/26 financial year.
5. Staff progress the development of plans, to a shovel ready position, for the delivery of Stage 1 comprising 1A, 1B, and 1C, so allowing for Council to be in best position to take advantage of external funding opportunities as they arise. The current cost estimate, as presented within the report, for Stage 1 is \$17.9m.
6. It confirms the ongoing need, in particular in the COVID-19 influenced financial environment, for Council to maintain flexibility in relation to the implementation of strategic community sporting and active recreation infrastructure projects such as the Karbeethan Reserve Master Plan.

7. Staff liaise with key stakeholders and investigate opportunities to collaboratively attract external funding for the implementation of the Karbeethan Reserve Master Plan.
8. A further update report regarding the Karbeethan Reserve Master Plan be presented to the September 2020 Corporate & Community Services Committee meeting.

12.6 RECOMMENDATIONS FROM AUDIT COMMITTEE MEETING HELD ON 20 JULY 2020

Record Number: CC20/57;IC20/553

Author(s): Chris Haynes, Governance Support Officer

Previous Motions: Nil

Attachments: Nil

12.6 Motions Made Under Delegated Authority for Noting

OFFICER'S RECOMMENDATION

That Council notes the adopted Motions from the Audit Committee made under Delegated Authority at the meeting held on 20 July 2020, being:

Item 6.1 - Internal Audit Workplan IC20/183

That the Audit Committee:

1. Notes the Internal Audit Workplan update report.
2. Seeks consideration be given in the 2020/21 budget deliberations to incorporate a budget provision as advised by staff and in response to the soon to be developed Internal Audit Workplan

Item 6.2 - 2019/20 Internal Controls Review Report IC20/52

That the Audit Committee notes the 2019/20 Internal Controls Review Report

Item 6.3 - 2020/21 Draft Budget / Business Plan (incorporating annual review of the Long Term Financial Plan) IC20/181

That:

1. The Audit Committee notes the 2020/21 Draft Budget (incorporating the annual review of the Long Term Financial Plan) Report.
2. The Audit Committee notes the draft budget, as endorsed by Council for the purposes of public consultation, represents an estimated end of 2020/21 financial year position of an operating deficit of \$1,690,000.
3. The Audit Committee notes that, excluding the 'one-off' financial measures provided to reduce the financial impact of the COVID-19 pandemic on our community (i.e. targeted Rates remissions of \$530,000 and \$615,000 of the \$2m Economic Stimulus Package), then the estimated operating deficit would be \$545,000, consistent with pre COVID-19 estimates.
4. The Audit Committee notes the eligibility criteria, as outlined in this report, pertaining to the provision of targeted 2020/21 Rates remissions to those ratepayers who have been adversely financially impacted from the COVID-19 pandemic. Further, the Audit Committee notes the targeted Rate remissions are to be provided, upon application, subject to the eligibility criteria being met.
5. The staff collate the feedback as discussed from the Audit Committee regarding the draft 2020/21 Budget and annual review of the Long Term Financial Plan.
6. The feedback provided by the Audit Committee pertaining to the draft 2020/21 Budget and annual review of the Long Term Financial Plan be considered by Council at the Special Council meeting to be held on 11 August 2020, at which public submissions during the public consultation period will also be considered.

Item 6.5 - 2019/20 Audit Committee Workplan - Progress Report IC20/380

That the Audit Committee notes the 2019-20 Audit Committee Workplan Progress Report.

Item 6.6 - 2020/21 Draft Audit Committee Work Plan IC20/381

That the Audit Committee adopts the draft 2020/21 Audit Committee Workplan.

Item 6.7 - Statutes Amendment (Local Government Review) Bill 2020 IC20/440

That:

1. The Audit Committee notes the Statutes Amendment (Local Government Review) Bill 2020 report, including comments from the Local Government Association of SA and Council's Administration, in response to the substantive changes proposed.
2. Feedback from the Audit Committee relative to the proposed legislative changes be used to inform a further report being presented to the Council meeting on 28 July 2020.

Item 6.8 - Debtor Analysis Report as at 30 June 2020 IC20/382

That the Audit Committee notes the Debtor Analysis Report as at 30 June 2020.

13 EXTERNAL BODIES REPORTS

13.1 CLIMATE EMERGENCY ACTION PLAN WORKING GROUP HELD ON 18 JUNE 2020

Record Number: CC20/57;IC20/487

Author(s): Meagan Jarmyn, Personal Assistant Development Environment and Regulatory Services

Previous Motions: Nil

Attachments: 1. 18-06-2020 - Minutes - Climate Emergency Action Plan Working Group CR20/47661 

OFFICER'S RECOMMENDATION

That Council notes the Minutes of the Climate Emergency Action Plan Working Group meeting held on 18 June 2020.

**13.2 NORTHERN ADELAIDE WASTE MANAGEMENT AUTHORITY MINUTES OF MEETING
25 JUNE 2020**

Record Number: CC20/57;IC20/470

Author(s): Chris Haynes, Governance Support Officer

Previous Motions: Nil

Attachments: 1. **Northern Adelaide Waste Management Authority Minutes 25-06-2020 CR20/46791** 

OFFICER'S RECOMMENDATION


That Council notes the Minutes of the Northern Adelaide Waste Management Authority meeting held on 25 June 2020.

13.3 RECONCILIATION ACTION PLAN WORKING GROUP MEETING 10 JULY 2020

Record Number: CC20/57;IC20/533

Author(s): Chris Haynes, Governance Support Officer

Previous Motions: Nil

Attachments: 1. **Reconciliation Action Plan Working Group - Meeting Notes - 10-07-2020 CR20/51744** 

OFFICER'S RECOMMENDATION

That Council notes the Reconciliation Action Plan Working Group notes from the meeting held on 10 July 2020.

14 QUESTIONS ON NOTICE

Nil

15 QUESTIONS WITHOUT NOTICE

16 MOTIONS ON NOTICE

16.1 NOTICE OF MOTION - CR TOOLEY - OMBUDSMAN REPORT

Record Number: CC20/57;IC20/537

Attachments: Nil

Councillor Ian Tooley has given notice that he intends to move the following motion:-

MOTION

That Council:-

1. Notes the Ombudsman Investigation Report into the allegation that Cr Tooley leaked a confidential CEO PMP document to the media.
2. Tables the Ombudsman's Investigation Report for inclusion in the minutes/public record.

16.2 NOTICE OF MOTION - CR TOOLEY - OBTAINING LEGAL ADVICE BY MEMBERS**Record Number:** CC20/57;IC20/545**Attachments:** Nil

Councillor Ian Tooley has given notice that he intends to move the following motion:-

MOTION

That Council:-

- 1) Acknowledges that Regulation 78A of the Act states that 'The regulations may establish a scheme under which a member of a council may directly obtain legal advice at the expense of the council to assist the member in performing or discharging official functions and duties.'
- 2) Obtains exemplars of 'Obtaining Legal Advice by Members' schemes/policies that other councils have developed and:-
 - a) tables those exemplars for consideration by members,
 - b) uses the exemplars to develop a draft policy for members consideration,
 - c) the exemplars and draft policy be provided to members by and at the 25 August Ordinary Council Meeting.

16.3 NOTICE OF MOTION - CR SHANKS - WORKSHOP FOR MEMBERS**Record Number:** CC20/57;IC20/547**Attachments:** Nil

Councillor Nathan Shanks has given notice that he intends to move the following motion:-

MOTION

That Council Member workshop be scheduled to inform Council Members on:

- a) How the organisation releases tenders to market
- b) Provide information on the tenderers submission requirements
- c) Provide information on project cost bench marking in relation submission requirements
- d) Provide information on how we attract local businesses to tender
- e) Provide information on the tender review process and procurement procedures

16.4 NOTICE OF MOTION - CR TOOLEY - CIVIC CENTRE CAFE**Record Number:** CC20/57;IC20/548**Attachments:** Nil

Councillor Ian Tooley has given notice that he intends to move the following motion:-

MOTION

That Council prepares a report to the August 2020 Ordinary Council Meeting on the status and operation of the Civic Centre Cafe and includes in that report:-

1. The current state of play regarding the operation of the cafe.
2. How the current operation status relates to the existing contract.
3. How the current operation status relates to the original vision for the cafe as described in councils promotional documents, reports and original Civic Centre / Gawler Connect contract and design documents.
4. The financial implications and costs, both to Council and to the Cafe operators?
5. Whether the Cafe/Cafe operators has fulfilled its contracted obligations?

17 MOTIONS WITHOUT NOTICE**18 CONFIDENTIAL REPORTS****18.1 CUNNINGHAM AND HARVEY ACCOUNTANTS - NEW LEASE PROPOSAL****Reason for Confidentiality**

In accordance with Sections 83(5) and 84(6) of the Local Government Act, 1999 – the Chief Executive Officer considers that this item may be considered in confidence by the Council on the grounds set out below (and therefore will remain confidential until the Council resolves how this item is to be classified).

A further written report will be considered by Members at the Meeting after the following recommendation is carried.

OFFICER'S RECOMMENDATION**18.1 Cunningham and Harvey Accountants - New Lease Proposal**

That:

1. Pursuant to Section 90(3) (d)(i),(d)(ii) of the Local Government Act 1999 (the Act), the Meeting orders that the public be excluded from attendance at this part of the meeting relating to Item 18.1, expecting the following persons:

- Chief Executive Officer
- Manager Development, Environment & Regulatory Services
- Manager Infrastructure & Engineering Services
- Manager Finance & Corporate Services
- Manager Business Enterprises & Communications
- Manager, Library and Community Services
- Minute Taker

to enable the Council to consider Item 18.1 in confidence on the basis that Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 18.1:

- (d)(i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party
- (d)(ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest

Specifically, the matter relates to negotiations of a new lease agreement with Cunningham and Harvey Pty Ltd

2. Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

18.2 CONFIDENTIAL RECOMMENDATIONS FROM CORPORATE & COMMUNITY SERVICES COMMITTEE MEETING HELD ON 14 JULY 2020

Reason for Confidentiality

In accordance with Sections 83(5) and 84(6) of the Local Government Act, 1999 – the Chief Executive Officer considers that this item may be considered in confidence by the Council on the grounds set out below (and therefore will remain confidential until the Council resolves how this item is to be classified).

A further written report will be considered by Members at the Meeting after the following recommendation is carried.

18.2 Karbeethan Reserve Master Plan Implementation

That:

1. Pursuant to Section 90(3) (b)(i) of the Local Government Act 1999 (the Act), the Meeting orders that the public be excluded from attendance at this part of the meeting relating to Item 18.2, expecting the following persons:

- Chief Executive Officer
- Manager Development, Environment & Regulatory Services
- Manager Infrastructure & Engineering Services
- Manager Finance & Corporate Services
- Manager Business Enterprises & Communications
- Manager, Library and Community Services
- Minute Taker

to enable the Council to consider Item 18.2 in confidence on the basis that Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 18.2:

- (b)(i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council

Specifically, the matter relates to potential purchase of private properties and valuation of those properties. The disclosure of the information could reasonably be expected to be commercially advantageous to the current property owners. The disclosure of the information could reasonably be expected to prejudice the commercial position of Council during purchase negotiations.

2. Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

18.3 NOTICE OF MOTION - CR TOOLEY - CEO PERFORMANCE MANAGEMENT PANEL**Reason for Confidentiality**

In accordance with Sections 83(5) and 84(6) of the Local Government Act, 1999 – the Chief Executive Officer considers that this item may be considered in confidence by the Council on the grounds set out below (and therefore will remain confidential until the Council resolves how this item is to be classified).

A further written report will be considered by Members at the Meeting after the following recommendation is carried.

OFFICER'S RECOMMENDATION**18.3 Notice of Motion - Cr Tooley - CEO Performance Management Panel**

That:

1. Pursuant to Section 90(3) (a) of the Local Government Act 1999 (the Act), the Meeting orders that the public be excluded from attendance at this part of the meeting relating to Item 18.3, expecting the following persons:

- Chief Executive Officer
- Manager Development, Environment & Regulatory Services
- Manager Infrastructure & Engineering Services
- Manager Finance & Corporate Services
- Manager Business Enterprises & Communications
- Manager, Library and Community Services
- Minute Taker

to enable the Council to consider Item 18.3 in confidence on the basis that Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 18.3:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)

Specifically, the matter relates to related to personal affairs of CEO

2. Accordingly, on this basis, the principle that meetings of the Confidential Council Meeting should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

19 CLOSE

20 NEXT ORDINARY MEETING

Tuesday 25 August 2020 commencing at 7:00pm